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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. BLUMENAUER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
July 24, 2009.

I hereby appoint the Honorable EARL BLUMENAUER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, Who rewards the just service of Your people and never forgets those who offer the ultimate sacrifice of their lives to protect others, we praise You and we thank You for those who serve as Capitol Police here in the Nation's Capital.

As we honor the memory of Officer Jacob Chestnut and Detective John Gibson later today with a moment of silence, we now pray for all those who presently commit themselves to serve as a security force that shields government workers and the public from harm and danger. May their service never be compromised or be taken for granted by others.

Lord, protect, guide and encourage all those women and men who give of themselves for the good of others in public service. Reward them and their families with peace and security in this life. Answer their prayers and all the longings of their hearts for a better world in the future.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Mrs. CAPPS) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 56. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The message also announced that the Senate, sitting as a court of impeachment in the trial of Samuel B. Kent, former District Judge for the Southern District of Texas, upon articles of impeachment exhibited against him and upon the receipt and exhibit of House Resolution 661, has dismissed the articles of impeachment and has adjourned sine die.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

WE NEED TO BREAK THE HOLD INTEREST GROUPS HAVE ON OUR NATION

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. The health care debate ends up being a debate about the legitimacy of our political system. If this is truly a government of the people, by the people and for the people, then why do we not already have a health care system which meets the needs of all the people? Is it because we have a market-based, for-profit health care system? Why do we have 50 million Americans uninsured and another 50 million Americans underinsured? Why are most bankruptcies connected to people being so heavily in debt for hospital bills?

America faces not only a health crisis but a spiritual crisis when health insurance and other interest groups stand between the people and their government extracting the wealth of our Nation and appropriating it to a few at the expense of the many and pressing upon the many the burden of illness and the brevity of life.

It is time to break the hold these interest groups have on our government. When we do, our Nation will be more healthy and more free.

COMMONSENSE HEALTH CARE REFORM

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, the worst State for health insurance in the country is New Jersey at \$5,500 a patient. The best is California at \$2,500 each. California has lawsuit reform to reduce the need for expensive defensive medicine and larger insurance pools to lower average risk

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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For this Congress, Republican moderates wrote a health reform bill to repeat these successes, lowering the costs for all Americans and expanding coverage. Indications are we will not be allowed to vote on these commonsense reforms. Instead, we will vote on a bill that is 1,000 pages long, at \$1 billion a page, costing \$1 trillion, raising taxes in the teeth of this recession to marginal rates higher than France.

I urge Members to reject this bill and put forward a commonsense set of reforms that will lower health costs without raising taxes.

WE NEED TO PASS THE HEALTH REFORM BILL

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, recently a constituent called me distraught. She has health insurance, but that company is denying life-saving surgery for her daughter born with spina bifida. Why? Because when this mother took a new job recently, she got new health insurance, and this health insurance company says they don't have to pay for her daughter's surgery because spina bifida is a preexisting condition.

Sadly, this is not an isolated story. Every one of us here has constituents who are going through similar situations. These are the people I am fighting for.

Our health reform bill seeks to insure the nearly 50 million people who don't have any health insurance, but just as important is fixing the currently broken health insurance for people who have or think they have coverage. We will force insurance companies to change these policies, and we will guarantee that every American has access to a plan that will always be there for them. This can be a private plan or the public plan, but there will always be an option.

And that's why we need to pass this health reform bill, and we need to do it now.

REFORM IN OUR FINANCIAL SYSTEM CANNOT SACRIFICE THE HEALTH OF OUR SMALL FINANCIAL INSTITUTIONS

(Mr. LUCAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUCAS. Mr. Speaker, an uneven playing field already exists between large financial institutions and smaller community banks. Rather than working to close that gap, however, President Obama has decided to further our community bankers' burdens with his Consumer Financial Protection Agency.

Under this new agency, community banks that have continued to provide a reliable source of credit to their customers will be saddled with additional

costs and regulations that could potentially drive many out of business. In addition, these increased costs will be passed along to consumers in the form of higher bank fees and less availability of credit. So, exactly how is this supposed to help our current financial crisis?

It appears as though, once again, this administration plans to force Main Street to pay for the mistakes made on Wall Street as they continue to follow their financial policy of "too big to fail, too small to matter."

Reform is needed within our financial system, but that reform cannot sacrifice the health of our small financial institutions.

MINIMUM WAGE INCREASE

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, today the Federal minimum wage rises to \$7.25 an hour. This Congress is proud that the previous Congress passed the minimum wage, and it went up in stair steps; and in these tough economic times, working people need help. They need help with all types of activities.

This will put \$1,100 in the pockets of working people. That means money for groceries, for rent, for school supplies, moneys that will help with this economic recovery, \$5.5 billion over the next 12 months.

One of the first votes I took in this Congress was to increase the minimum wage that had been held stagnant for decades. This will help 40,000 people in my district in Memphis and across the country.

This Congress should be proud of its support for working families, but sad that it took so long to get this minimum wage to where it is. We need to help the working people, and we need to make sure we make this country a better country with health insurance for all.

CONSUMER PROTECTION REGULATION?

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, Toni Marie's bakery in my hometown can fulfill your chocolate chip cookie cravings or make an elegant wedding cake for you, which they did for my kids. Imagine if D.C. bureaucrats from a new Federal consumer cookie protection agency require our bakery to use only a new Federal cookie recipe and sell one kind of cookie, sugar free with no flavor, and only certain customers are deemed healthy enough to buy it so they stop going. What happens? The bakery is out of business.

As crazy as it sounds, it's very similar to the Democrats' solution to protect us from our future financial dis-

aster. Masked in rhetoric to simplify and improve our lives, the proposal creates a new agency to tell every community financial business across America which products they can and cannot offer to consumers.

Bigger government and limits on choice won't restore confidence in our financial marketplace. Our system needs a stronger, smarter, regulatory approach which our Republican plan offers to empower consumers, protect against fraud, and preserve consumer choice.

THE TIME IS NOW FOR HEALTH INSURANCE REFORM

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, President Obama in his speech to the Nation on Wednesday night really brought home the fact that we need to act on health care reform immediately before this Congress adjourns for the August recess, and the reason is simple: costs continue to go up.

The cost of health insurance, inflation is way out of line by comparison to any other developed country, and we still have about 40 million to 50 million Americans that have no health insurance. So we need to do both. We need to cover everyone as best we can, and we need to bring down the costs of health insurance.

The bottom line is that many of the organizations who opposed health insurance reform 15 years ago when I was here under President Clinton now support a plan that the insurance companies, the AMA, the doctors, PhRMA, the pharmaceutical industry, all these groups have come together with President Obama because they realize that we can't continue with the status quo.

The time is now for health insurance reform, and we need to get together as both Democrats and Republicans to pass it.

GOVERNMENT HEALTH CARE TAKEOVER WILL KILL JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the President says incorrectly that if you like your health care coverage you can keep it under his plan. This has been refuted by many sources, including the White House, which has admitted that the President's rhetoric should not be taken literally. Unfortunately, with the mandates and new taxes on small businesses included in the Democrat bill, the question should be: if you like your job, can you keep it?

With estimates ranging from 1.6 million to 4.7 million jobs lost under the Democrat scheme, it is clear this plan will destroy jobs and weaken our economy. You cannot make health care

more affordable for Americans if you destroy jobs.

Republicans want to give the American people a leg up through tax relief and resources for small businesses to provide quality health care coverage. We have solutions that do not rely on tax hikes, mandates, and Big Government bureaucrats which lead to waiting lists and rationing.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

DEMOCRATS ARE DOING SOMETHING ABOUT HEALTH CARE

(Mr. HASTINGS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, my constituents have given me the honor and the privilege of serving here in the House of Representatives for 17 years now, and in all of those 17 years coming from an area where health care costs have continued to accelerate each year, in all those years, I've come here along with colleagues on both sides of the aisle seeking better opportunities for the seniors, those who are disabled, those who are without health care, and all we've done is talk.

Well, now the Democrats have done something about that. We do have a plan that is before the American public. It allows for no more copays or deductibles for preventative care and an annual cap on out-of-pocket expenses, keeping Americans from financial ruin; an end to increases for pre-existing conditions, gender, or occupation; group rates of a national pool if you buy your own plan; guaranteed affordable health care and vision care.

If we keep the Republican's plan in mind, costs will go up.

AMERICANS NEED TO SAY "YES" TO REPUBLICAN HEALTH CARE ALTERNATIVE

(Mr. BROUN of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROUN of Georgia. Mr. Speaker, this morning on "Fox and Friends," one of my favorite golfists, Phil Mickelson, was there talking about his wife, Amy, and his mother, Mary, having breast cancer. He made an astonishing statement. He said that the treatment of breast cancer today is better than it was 5 years ago, better than 10 years ago, and he's absolutely right. Mr. Mickelson's hope in the cure for his mother and his wife's breast cancer, this devastating illness, is very high.

But, Mr. Speaker, the American people need to understand if we pass the Democratic health care reform bill that they are proposing, innovation in health care is going to quit or go down and be very little. The quality of care

is going to go down. As a physician, I can tell the American people that the quality of your care will be worse a few years from now because of the Democratic Party's health reform plan.

The American people need to stand up, Mr. Speaker, and say "no" to this and say "yes" to some of the alternatives that Republicans are presenting. We have a plan, but it will not be heard unless the American people demand it.

□ 0915

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At an appropriate point today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KING of Iowa. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from Iowa, Mr. King submitted an amendment to the Committee on Rules to H.R. 3293, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010;

Whereas the said gentleman's amendment would have required that none of the funds made available in this Act be made available to ACORN or any of its 174 known affiliates;

Whereas, since 1994, ACORN, the Association of Community Organizations for Reform Now, and its affiliates have received \$53,643,444.58 in taxpayer funding from the federal government;

Whereas despite the trust placed in ACORN by taxpayers to act as a responsible steward of the funding provided to it, ACORN has proven itself to be an organization committed to breaking our laws and undermining our democratic political process;

Whereas during the 2008 federal election cycle, ACORN mobilized its nationwide, grassroots organization in an effort to affect the outcomes of elections nationwide through voter registration campaigns; and

Whereas ACORN is now under investigation in at least 14 states regarding allegations of fraudulent activities that were undertaken by the organization as part of its voter registration campaigns;

Whereas ACORN was charged with voter fraud in Nevada;

Whereas ACORN has admitted to submitting over 400,000 fraudulent voter registrations in the 2008 election cycle;

Whereas, because of its alleged fraudulent behavior during the 2008 election cycle, it is important that ACORN be prohibited from receiving any additional taxpayer funding;

Whereas the need to prohibit additional funding to ACORN led the Gentleman to submit his amendment to the Committee on Rules;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Mrs. Pelosi, the Democrat leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 673, the rule to accompany H.R. 3293, be amended to allow the gentleman from Iowa's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, the resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Iowa will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PROVIDING FOR CONSIDERATION OF H.R. 3293, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution H. Res. 673 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 673

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 134, line 12. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are

waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After disposition of the amendments specified in the first section of this resolution, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 4. During consideration of H.R. 3293, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against consideration of the rule because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution carries a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule and the gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I come here today completely baffled at this point. We've had in this appropriations season what can best be described as martial law, in legislative terms, where we've had appropriation bill after appropriation bill come to the

floor under a closed rule or a modified structured rule, where the majority party decides which amendments the minority party can offer.

I suppose they thought it was amusing at first. They claim it was an issue of time. And so some of us on this side that had amendments that were ruled in order asked unanimous consent to be able to substitute other Members' amendments that had not been ruled in order—amendments that were germane—that the majority party simply saw unfit for this party to vote on and debate.

And 16 times that I have asked for unanimous consent, that unanimous consent has been denied. So it's not an issue of time at all. It's not an issue of time.

As much as the majority party wants to stand up and say, We've got to get these finished because we have a time limit—for one, it's a pretty sorry excuse. We do appropriations. That's what the Congress does. And to say we've got to get these done in 1 day for the Defense bill next week, one day for Labor-HHS today, but then we find out that that's a ruse in itself, because if we agree to stay within the time constraints, then they still won't allow us to substitute the amendments that we would like to offer.

On this bill, because the majority party had seen fit to give me several amendments on bills to cut earmarks that they knew would likely not pass because of the logrolling that takes effect here, I decided on this bill, although there were plenty of targets, I believe there were over a thousand earmarks in the bill, I decided not to offer one earmark amendment. So surely, surely the majority party would see fit to allow a few of my colleagues' amendments in order so they couldn't say, Oh, we gave you 10 amendments. Of course, 8 of those were Flake earmark amendments. But we gave you 10.

So I didn't submit any. Not one. Our party submitted 12 amendments—12 amendments—and we were given 4. Just four amendments. One was given to I think the chairman of the Appropriations Committee and several, my understanding, were rolled into the manager's amendment.

I would love to hear—and I will retain my time—but hear what the Rules Committee is thinking here, or why they see fit to deny the majority party the ability to offer amendments.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman is recognized for 10 minutes.

Mr. HASTINGS of Florida. Mr. Speaker, my good friend for whom I have great affection began his remarks by saying he's baffled. Well, I'm baffled and befuddled by the many actions that my good friend from Arizona persists in bringing to the floor of the House of Representatives.

Start with the fact—and the distinguished chair of the Appropriations

Committee will outline the particulars of the bill—but start with the fact that there are no unfunded mandates in this particular provision.

So, once again, this point of order is not about unfunded mandates. It's about trying to block this bill without any opportunity for debate and without any opportunity for an up-or-down vote on the legislation itself.

I think that's wrong, and I hope my colleagues will vote "yes" so we can consider this important legislation on its merits and not stop it, as my friend would try to do, on a procedural motion.

Those who oppose the bill can vote against it on final passage. We must consider this rule, and we must pass this legislation today.

Now I have the right to close, but in the end I'm going to urge my colleagues to vote "yes" to consider the rule, and take one final moment to ask my friend to consider what he does when he persists, as is his right as a Member of this body, in coming here repeatedly after every measure that he wishes to put forward.

What does he think he is doing to the legislative council of this office? There are 441 Members that ought to be able to access that body, and many of us find our legislation at the back of the track for the reason that we are coming here with what amounts to nothing but process motions that everybody has heard.

We have an expression here—and children use it frequently—"I got the memo." Or, "I got it." We hear him on this particular subject. He can vote on it at any such time, but it is the Rules Committee that makes the determination as to what rules are going to be on the floor of the House of Representatives.

I reserve the balance of my time.

□ 0930

Mr. FLAKE. I think the gentleman doth protest a little too much. We are here on the unfunded mandate thing because it's the only opportunity we've got. We've been shut out of just about everything else. We offered 12 amendments to a bill that typically has dozens and dozens and dozens and which typically we spend a couple of days on. We're told, "We've got to get it done today, and we're only going to allow four amendments from the other side, and they are the four that we pick." I mean, what has this legislative body come to? I suppose the gentleman was referring to the 540 amendments that I have offered for the Defense bill. I have offered 540 because that represents the number of no-bid contracts that this body is authorizing for private companies in the Defense bill. That's why there are investigations swirling around this body. Yet we come to the floor and authorize 540—not authorize—we appropriate money for 540 no-bid contracts. So I make no apology at all for offering 540 amendments. But I knew that I didn't want to tie the

hands and tie up Legislative Counsel. That's something that I worry about. So we went to them and said, "How can we do this without causing you trouble?" They gave us a template, and we've done it all in our office. My staff and other staffs were up nearly all night last night, making 30 copies of 540 amendments on our own—not taking any of Legislative Counsel's time—just so we could do this body and this institution the favor of trying to actually vet some of the earmarks, no-bid contracts for private companies, that come through this body. And then we get scolded for that; and to say, "You're taking up too much time. We've given you four amendments on this bill and you should be happy with it?" These crumbs that fall from the table, the Appropriations Committee and the Rules Committee, just be happy with it. Go on your merry way. It just is baffling. I don't know what else to say. I don't know what else we can do on this side. But bad process always begets bad policy, and it will come back to bite at some point. I just wish the majority party would realize that this martial law on appropriations bills is not justified. You shouldn't do it just because you can.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I stand duly chastised by my friend from Arizona. I am delighted that he took up his office's time and not the Office of Legislative Counsel's time in order to provide the amendments that I still consider to be spurious. Perhaps it is that he would urge not wasting his staff's time then. But there have been other times, by virtue of the repetition, that Legislative Counsel has been burdened, template or not. There are other Members in this body that exercise that abuse process, including another one that I am watching, and that is the use of privileged motions for purposes of legislating. Assume that every Member in this body wanted to use that prerogative, then we would never be able to get our work done. Yes, it is the responsibility of the majority to see to it that the business of the people of this country moves along.

I, again, want to urge my colleagues to vote "yes" on this motion to consider so we can debate and pass this important piece of legislation today.

I yield back the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Arizona has 4½ minutes.

Mr. FLAKE. I thank the gentleman. If I was looking to waste time and to delay, I would call a vote on this. That would take this body an extra half-hour or so. I am not going to do so. I know I'm going to lose this. But somebody at some point has to stand up and say, We're not potted plants over here. We're in the minority, yes. But we do have some rights, we think. The gentleman said that these amendments that I'll be offering to the Defense bill

today are spurious. Last year I would have loved to have been able to offer some of these amendments, but I didn't have any ability at all. Not one amendment was offered to earmarks in the Defense bill. Why? Because it was a closed rule completely. It came in in mini-bus form, and no amendments at all were offered. That's happened, to some extent, over a couple of years. And what has happened during that time? Earmarks have been awarded, no-bid contracts to private companies, that are now being investigated because money went out; and individuals have already pled guilty to taking that earmarked money and spreading it around to some companies that did no work, none. They've already pled guilty for it. Again, we're bringing to the floor next week a Defense bill as if nothing's wrong, nothing's happening, no investigations are occurring. We're still going to award no-bid contracts to private companies. And yeah, we might hide some language or put some language in the bill that says, Well, these things are really going to be bid out. But the Defense Department, if you ask them today, Do you bid these things out? They say, Yes, we're required to. Except when we don't, when we issue what's called a J&A, and we decide, Well, we're really not going to bid that one out because it was asked for by Congress.

That is just unbelievable to me that we are accused of being spurious when we attempt to bring earmark amendments to the floor to vet in some way, shallow though it may be on the floor of the House, it's all we've got because we only got a list of these earmarks this week, we're scolded and told that we're spurious for asking for just a smidgeon of accountability here for the sponsor of the earmark to stand up and justify why he thinks or she thinks that she has the ability to award a no-bid contract to a private company whose executives may turn around and give big amounts of money to that Member. That's being investigated in some cases by the Department of Justice.

And we say, We should be able to do it, and no Member should be able to question it, that we shouldn't be able to raise it on the floor of the House. I just don't get it. Every time I think I have seen it all, I haven't. And today to be scolded for bringing amendments to the floor, and then to have the majority party bring 12 and to be told that we should be happy because they have seen fit to choose four of those amendments, allow us to offer them, and we should be somehow grateful and should embrace this rule just blows me away.

I don't know what to say, Mr. Speaker. But I would urge this Congress not to move ahead with this bill in this fashion. There is no requirement that we have to do this today any more than you have to do health care this week or next week. We're a deliberative body, I hope; and we should deliberate just a little bit more.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself as much time as I may consume.

The resolution provides for consideration of H.R. 3293, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act of 2010 under a structured rule. The Labor-HHS-Education Appropriations bill provides \$160.7 billion for fiscal year 2010 and continues this Congress' commitment to fiscal responsibility by coming in \$52 million below the President's request, and cutting 46 individual programs to ensure that taxpayer funds are used in the most effective way. This bill also includes \$1.1 billion for activities to reduce improper payments, abuse and fraud in the Departments of Labor and Health and Human Services and in the Social Security Administration, which could result in over \$48 billion in taxpayer savings over the next 10 years. During these difficult economic times, it is more important than ever that we not only spend taxpayer funds prudently but that we make the necessary investments to move our economy forward.

This bill provides \$64.7 billion for the Department of Education to prepare America's youth for an increasingly competitive global economy and to ensure that all Americans have access to the education needed to succeed. Funds in this bill, combined with the funds in the Recovery Act, will provide States with \$4 billion in grants under the School Improvement Fund which will target assistance to approximately 13,000 low-performing schools. This bill also boosts Pell Grants which help approximately 7.6 million low- and middle-income students pay for college each year. Further, it provides \$653 million to Historically Black Colleges and Universities, Hispanic-Serving Institutions and other developing institutions and nearly triples new loan guarantees for HBCUs.

As we prepare our youth for the jobs of tomorrow, we must also protect and develop our current workforce. This bill restores the Department of Labor's capacity to enforce laws that protect the wages, safety and benefits of workers. It also helps those who lost their jobs during the course of this recession by providing \$1.4 billion for training and supportive services. Of these funds, \$50 million will be used to prepare workers in green industries, not only helping to provide Americans with decent, good-paying jobs but also helping the American economy be more competitive.

This bill, recognizing the incredible burden that this economic crisis has placed on countless Americans, also provides much-needed assistance to our vulnerable populations. It will help families stay warm through the winter by providing \$5.1 billion for the low-income energy assistance program. It will boost nutrition, transportation and other supportive services for seniors by providing \$1.5 billion for senior nutrition and other services; and it will relieve some of the pressure placed on the Social Security Administration by providing \$11.4 billion to help the agency process the rising number of claims and reduce its current backlog.

Finally, as we in Congress work to pass health care reform in the coming weeks, this bill will help build the capacity of our health care system and provide funding for job training in the health care sector, one of the strongest and fastest-growing sectors in our economy. My colleagues are well aware that a whole lot of people, well over 47 million people in our Nation, are uninsured. In the district that I am privileged to serve, 25 percent of my constituents lack health care coverage. This bill provides \$2.2 billion for Community Health Centers, which provide primary care to 17 million patients, 40 percent of which are uninsured. While such centers provide a vital service, there are still far too many individuals that go without any primary care at all, endangering their health and increasing the burden on taxpayers by getting treatment when their illnesses have become serious and their care several times more costly. In my home State of Florida, over 971,000 women are in need of publicly supported family planning services; yet only 35 percent of them are currently being met through public funding providers.

While my colleagues on the other side of the aisle will throw—and have thrown—insulting accusations and deceitful claims, what we should be talking about today is how to further support the essential community providers, such as Planned Parenthood, during a provider shortage in this country rather than making it harder for women and families to access vital health care.

□ 0945

For 8 years, the Republican administration placed the needs of the wealthy

and the privileged before those of the middle class and the poor, and now we are paying the price. I have listened to my Republican colleagues for the past week beat the drum of fiscal responsibility. Quite frankly, this is laughable at best.

These are the same people who claim to be deficit hawks, but quite frankly, the real truth is that Republicans instituted tax cuts for extremely wealthy people in this country and new spending programs that took our Nation from surplus to debt. And my colleagues on the other side of the aisle participated in decreasing taxes for wealthy people at a time when we were at war. It was the only time in the history of this country when we were at war that we decreased taxes. And then when we did it, we did it for the best of us in our society, as far as wealth is concerned. The Republicans lecturing us on fiscal responsibility is like Al Capone lecturing about crime on the street. It doesn't pass the laugh test.

With our economy in turmoil, Democrats are picking up the pieces of the Bush administration and restoring this Congress' responsibilities to protect our Nation's health and social safety nets to ensure equal access to a quality education and to develop a globally competitive workforce.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I also appreciate the gentleman from Florida yielding me such time as I may consume.

Mr. Speaker, let's just go to the words that people have. Republicans cut taxes and employed people, 5.3 million new jobs. The Democrats put their spending plan on the floor and said we would have jobs and more jobs, and we don't. So regardless of what the gentleman talks about with all these big tax breaks, they worked. They employed people. People had jobs. And in the scheme of things, Mr. Speaker, that's good for all of us. So I will stand behind those tax cuts that employed this country, as opposed to unemployment, the highest unemployment in 26 years, by our friends, the Democrats.

Mr. Speaker, today I stand about this structured rule, and I stand in opposition. My friends on the other side of the aisle, for the first time in the history of the Republic, have shut down the appropriations process by placing an extremely restrictive rule on every single appropriations bill that has come to the floor this year.

Chairman DAVID OBEY of Wisconsin has set an arbitrary timeline to finish the fiscal year 2010 spending bills which has forced this Congress and the Democrat-run Rules Committee to limit every Republican's and Democrat's chance to offer an amendment on the floor. Hundreds of amendments have been offered by all of my colleagues, and they have been rejected in an unprecedented fashion. I ask, once again, Mr. Speaker, what is the majority afraid of? Why are we doing this for the

first time in the history of this Republic? Why won't they allow for the open and honest debate that they called for just a few years ago?

In order to operate under the needlessly short debate that my friends on the other side of the aisle have forced Republicans to pursue, my colleagues and I offered 12 amendments to ensure that a thoughtful and constructive debate could take place. We helped manage ourselves before we came to the Rules Committee. Yet what happened? Only four were made in order, while the Democrats had seven of their offered amendments rolled right into the manager's amendment.

This Democrat Congress, in unprecedented fashion, continues to reject and silence the American public and to muzzle Members on the floor of the House of Representatives, not allowing their voices to be heard on the people's floor.

Mr. Speaker, today we are discussing the Labor, Health and Human Services and Education Appropriations bill for fiscal year 2010. It is my intent to focus on this huge increase in spending over last year's level and to discuss the majority party's destructive initiatives that continue to kill jobs and lead to record deficits; that is, kill jobs and record deficits under control of Speaker NANCY PELOSI, the Democrat-held Senate, and President Barack Obama. This is their policy that we are debating on the floor today.

This underlying legislation is a 7 percent, or \$10.6 billion, increase above the current year's spending levels, and that's excluding the \$126 billion in stimulus funding that these programs have already received. Since 2007, funding for programs under Labor, Health and Human Services and Education have increased a whopping 93 percent. This bill does not represent a commitment, or any commitment, to fiscal sustainability. We simply cannot keep doing this. But, here we are again today. It will cost us jobs.

Mr. Speaker, we will continue to ask, where are the jobs? With this legislation, Congress only further slows down economic recovery and increases the financial burden being placed on our children and grandchildren. Mr. Speaker, where are the jobs?

The Obama administration promised Americans that unemployment would not go beyond 8 percent, that they would create and save millions of jobs if Congress simply passed the stimulus. Here we are, months later, with a record 9.5 percent unemployment rate, the highest in 26 years, and 2 million Americans have lost their job since the passage of this massive \$1.2 trillion stimulus plan. Mr. Speaker, where are the jobs?

Earlier this month, when discussing the stimulus, Vice President BIDEN said the Obama administration misread how bad the economy was. The Obama administration got it wrong when it came to \$1.2 trillion of taxpayer spending by this Democrat Congress. The

American people can no longer afford for this Democrat-controlled House, Senate, and White House to get it wrong. Where are the jobs?

Last month, my friends on the other side of the aisle passed a cap-and-trade bill that top White House economic advisers had suggested could actually cost up to \$1.9 billion, raising prices on energy, goods and services for every American, an increase for every American back home, between \$1,200 and \$1,600 a year. Additionally, this legislation would kill up to 2 million manufacturing jobs. Mr. Speaker, we have to ask again, where are the jobs? Oh, we are beginning to find out that they are in Washington, D.C.

Mr. Speaker, next week, this Democrat-controlled Congress wants to pass sweeping health care reform that effectively will kill employer-based insurance marketplaces and force 114 million Americans into a government-run program, a program where government bureaucrats will be choosing what doctor-and-patient relationships will be and what procedures will be covered by that doctor.

This \$1.2 trillion package raises taxes on individuals and small businesses that do not participate in the government plan, and up to \$818 billion will be the cost, which, according to a model developed by the President's own economic adviser team, will result in 4.7 million employees losing their job. Mr. Speaker, we ask, once again, where are the jobs?

This is economic insanity. The American people know that you shouldn't spend what you don't have. But that is exactly what Ms. PELOSI and this Democrat majority is doing. Mr. Speaker, we ask, once again, where are the jobs?

According to the Congressional Budget Office, the Obama administration is on its way to doubling the national debt in 5 years. Mr. Speaker, we would ask, where are the jobs?

Earlier this month, the Congressional Budget Office released a Monthly Budget Review that states that the Federal budget deficit reached \$1.1 trillion during the month of June. As of June 30, the national debt stood at \$11.5 trillion. Mr. Speaker, we will ask again, where are the jobs?

Especially at a time of deep economic recession, Congress should be promoting pro-growth policies that reduce spending, increase job growth, and give Americans confidence. Mr. Speaker, where are the jobs?

The deficit has increased \$1.7 trillion, or 1,000 percent, since the Democrats took control of this House of Representatives 3 years ago. Mr. Speaker, where are the jobs?

It has gone from a \$162 billion fiscal deficit to a projected \$2 trillion this year. Mr. Speaker, we ask, where are the jobs?

In closing, Mr. Speaker, I would like to continue to point out to our friends on the other side of the aisle that we cannot tax, spend, and borrow our way out of this country's economic recession.

Our Democrat colleagues need to get a handle on this out-of-control spending that, once again, they are bringing to the floor of the House of Representatives today to pursue an ever-growing American government size. Rising unemployment and record deficits cannot be remedied with massive increases in government spending. Mr. Speaker, where are the jobs?

Huge energy and health care bills will raise taxes and kill jobs. Mr. Speaker, the American public understands this. They know that the Republican Party has better ideas, and that's why we're on the floor of the House of Representatives today. I encourage a "no" vote but will, once again, ask the question, where are the jobs?

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am challenged to answer my good friend from Texas before I yield to the distinguished chairperson of the Appropriations Committee.

The mantra that I just heard from my colleague asks a legitimate question, where are the jobs? I can't attest to everyplace in the United States of America, but I do know this about the area that I'm privileged to serve.

Four months ago, 400 school teachers received slips indicating that their jobs were going to be lost. Since that time, money provided from the stimulus package has come into the system. When I was home this past weekend, I was very pleased to read that 124 of those school teachers have been called back to work and that it is expected that the next tranche will allow for all of them to be called back to work. It's a special concern to me, because one of those persons was a young lady that worked with me when she was in high school.

So, some things are turning. Some jobs are being created. But I would not have the American public believe that the recession began when Barack Obama became President. The recession began in December, and the job attrition was taking place then. We are in a transformational posture in this country of ours, and we are going to see the kind of uptick in jobs at the time that the stimulus takes full impact.

□ 1000

I would like, at this time, to yield 5 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), who has worked actively to try to get us in a position where we can answer that "where are the jobs." And my question is, Why did they lose so many before they started asking the question, Where are the jobs?

Mr. OBEY. Mr. Speaker, I don't particularly care to get into a partisan diatribe this morning. I recognize that the gentleman from Texas is the chairman of the Republican House Congressional Campaign Committee, and I can understand, in his position, why he would be willing to look anywhere he can to try to find the slightest issue

which he thinks can restore his party to the majority status in this House.

And I sympathize with them because I suspect that he's going to have to strain at gnats often in order to accomplish that. And one such example is the objection that they're raising to the rule this morning with respect to amendments.

I want to walk you through, Mr. Speaker, what the facts are on the amendments that were offered to this bill. There were 35 amendments that were initially filed for the bill. On the Democratic side there were 21. Seven of those amendments were not in order because they violated the rules of the House, so they were set aside.

That left 14 left. Of the 14 that were left, nine of them are now going to be wholly or partially incorporated into the manager's amendment with the agreement of the sponsors. That leaves five left. Two of those amendments, in the judgment of the Rules Committee, were related to arguments that better belonged in the authorizing committees.

Another was, and I'm sure the gentleman from Arizona will be shocked by this, another would have added an earmark which would not have been eligible for funding under the program to which the earmark wanted to be attached, so the Rules Committee turned that down. And then two of those amendments, the remaining two, were dropped with the understanding that we would try to strengthen funding for the programs involved when we move to conference. So we've dealt with all of the amendments on the Democratic side.

On the Republican side there were 14 amendments that were offered. Initially, nine of them were out of order. They were worked with, and that reduced the number to four amendments that were out of order under House rules and subject to point of order. That left 10 Republican amendments.

Three of those issues, again, in the judgment of the Rules Committee, were determined to be issues that more appropriately should be dealt with in the health care reform bill. Example: one sought to prevent us from creating a public plan in the health insurance bill. I did not know that the Appropriations Committee was so talented that, in addition to handling the budget matters, it's also supposed to interfere in judgments about health care reform. Evidently, some people think they should. I think the Rules Committee was right.

Another amendment dealt with an issue that had been disposed of in the authorizing committee, the Education and Labor Committee, in the same week. And then there was one other amendment that simply rehashed an old campaign argument, a matter which relates to elections and more properly belongs in either the Judiciary Committee or the House Administration Committee, which oversees elections.

That leaves five remaining Republican amendments. Four of them were made in order. Four of them were made in order, four out of the five remaining amendments. And there was only one that was not made in order, and that one was an amendment that simply sought to stuff an additional \$1 billion into a program that had already been increased by \$12 billion.

So if someone wants to make a Federal case out of the fact that one amendment was denied, be my guest. I've seen worse offenses around here.

With respect to the budget, I'm not going to get into a partisan debate. All I want to say is this: both Presidents, Bush and President Obama, were faced with terrible problems when the economy collapsed late last year. We were losing 700,000 full-time jobs at a time when Mr. Obama was still waiting to take the oath to be sworn in, and so he inherited a terrible problem. Both President Bush and President Obama wound up having to push a lot of money into the financial sector of the economy to solve our economic problems. This bill takes care of the rest of the economy, and I hope we get to it and support it when it comes before the House.

Mr. SESSIONS. Mr. Speaker, I'm saddened that the gentleman from Wisconsin believes that if I bring up a question about jobs, that that's political. It shouldn't be. It's not on our side. It's just a fact of the matter. We don't know where the jobs are. We were promised these jobs.

Secondly, it's good for me to learn that now I know who runs the Rules Committee, the chairman of the Appropriations Committee, because I thought that the chairman of the Rules Committee did, but I found out now it's run by the Appropriations chair. At least I know that answer today.

Mr. Speaker, I would like to yield 3 minutes to the distinguished gentleman from Indianapolis, Indiana, Mr. BURTON.

Mr. BURTON of Indiana. Mr. Speaker, in 1965, this Congress passed the Federal Family Education Loan Program Act, and it was designed to provide private funds for college students' loans. And since 1965, this program has provided over 194 million loans to college students, with private funds, and they've delivered about \$695 billion in loans.

The problem that we have is unemployment right now. It's 9.5 percent nationwide. And in Indiana, my State, it's 10.7 percent. And we have 35,000 jobs nationwide that work for this education program funded by private funds, and 2,400 people in Indiana. Now, Mr. CARTER and I, Congressman CARTER and I had an amendment that would guarantee the survivability of this program because it has helped so many college students get loans.

And what the Democrats are trying to do is they're trying to have a direct loan program take the place of the privately funded program that we now

have, and that the government and the taxpayers will be paying for that loan. It's one more attempt for them to put everything that we do, day and night, under the control of the Federal Government.

Now, why in the world, when we have a program that's providing millions of loans to college students, without taxpayer dollars funding it, why would we want to change to a direct loan program and have the taxpayers underwrite it, especially at a time when the economy is going down the tubes and we're spending trillions of dollars on many programs we don't even need; the automobile industry, the banking financial industry, the health care industry, energy, all of those things?

And now they're going after education by trying to come up with a direct loan program that the taxpayers will have to pay for, and the private funding that's now being used will not be utilized. It will cost somewhere between 30,000 and 35,000 jobs across the country. Now, they want us to have more jobs. Here's a chance to preserve 30,000 to 35,000 jobs by not having the government step in and take over the financing of college loans for students.

And yet you want to have the government take over, the Department of Education, take over the direct funding program, take it away from the private sector and independent funding so we would have more government control and cost another 35,000 jobs we're going to put into the unemployment lines. It makes no sense to me.

My colleagues, I'm very disappointed you did not allow this under the rule. We should have fully debated this on the floor. I think you just didn't want to debate it because you don't want the American people to see, once again, we're putting everything under the control of government, every aspect of their lives and now including education.

I rise in strong opposition to this rule.

Congressman CARTER and I submitted an amendment to Rules Committee that was rejected. It was a legitimate and appropriate amendment for this bill. Unfortunately, under the House Leadership's *modus operandi* of "it's our way or the highway," I shouldn't be too surprised that it was not accepted.

Here's what the amendment would have done. The amendment stated that no funds may be used to promulgate, amend, or repeal any regulation pursuant to the Federal Family Education Loan program.

Although the Carter-Burton Amendment will not be debated today, I wanted to make sure that my colleagues know what the damage may be.

First, I want to thank my colleague from Texas, Representative JOHN CARTER, for working with me on this amendment. I very much appreciate his efforts on the Appropriations Committee to preserve the FEDERAL FAMILY EDUCATION LENDING PROGRAM.

The Rules Committee should have supported the Carter-Burton amendment, and I will tell you why.

THE FEDERAL FAMILY EDUCATION LOAN PROGRAM (FFELP) WORKS

The Federal Family Education Loan Program—FFELP for short—was first established as part of the Higher Education Act of 1965 and has provided higher education funding for 53, tens of millions of Americans.

Since its creation, FFELP has disbursed more than 194 million loans to college students totaling nearly 695 billion.

A key component of FFELP is that it utilizes private capital, not taxpayer dollars, to fund loans with the Federal Government providing guarantees against loss.

Competition and choice in student loan delivery and support are hallmarks of the Federal Family Education Loan Program.

EFFORTS TO DISMANTLE FFELP

Right now there are efforts underway to weaken and dismantle the Federal Family Education Loan Program (FFELP).

The President's FY2010 budget plan contained a proposal that would effectively end FFELP and force all student loans through the government's Direct Lending.

The President's plan calls for all Federal student loans—beginning with the 2010–2011 academic year—to be made under the Direct Lending Program. Moving to 100 percent Direct Lending in 2010–2011 coincides with—the expiration of the temporary loan purchase programs that were authorized by Congress in response to the credit crunch that swept this country last year.

The Department of Education is currently using appropriated dollars to implement the President's proposal, which has been considered by neither house of Congress, nor is authorized under current law.

They are writing letters to schools, enhancing systems, and otherwise using appropriated funds for a proposal not authorized by Congress.

Evidence of this comes in the form of a July 8, 2009, letter from the Chief Operating Officer for Federal Student Aid at the Department of Education to college presidents detailing the steps the Department is taking to ensure a smooth transition into the Direct Loan Program.

Quotes from the July 8th letter from the Department of Education to college presidents:

Since the President's announcement last February, we have taken numerous steps to ensure a smooth process for the transition of schools into the Direct Lending Program. We have expanded the capacity of the automated system that is used for the origination of Direct Loans.

Of course, what is most important to you and your colleagues at other colleges and universities is whether campuses will be ready to move to Direct Lending. To assist you, we will establish the electronic accounts that will enable your institutions to electronically send and receive Direct Loan records and reports. The establishment of these accounts does not obligate your institution to move to the Direct Lending Program at this time; it simply takes care of one of the first steps, so that when you are ready you can select the Direct Loan processing and funding options that work best for you.

However, to ensure a smooth transition, please encourage your staff to learn more about the Direct Loan Program and the business processes that are used to deliver these important financial resources to students and families. If they run into any problems that have not been satisfactorily addressed by our staff please let me know immediately.

The Rules Committee should have supported this amendment if they were serious about preserving American jobs. More than 30,000 private sector jobs nationwide are directly connected to the Federal Family Education Loan Program.

In my home state of Indiana 2,356 people are employed in the FFELP industry. In my district—the 5th Congressional District of Indiana—there are more than 1,500 jobs. The Nation's unemployment rate is running around 9.5 percent. In Indiana, which has been hit extremely hard by the current economy, the unemployment rate is 10.7 percent.

This amendment was a chance for this House to support thousands of hard-working Americans who are employed in industries supporting the Federal Family Education Loan Program.

Without the Carter-Burton Amendment, we leave open the door to the very real possibility that the existing FFELP infrastructure, which supports over 35,000 jobs nationwide, could be dismantled.

If you believe in a student loan industry that is driven by consumer choice, competition, continuous innovation, and dedicated customer service then you should join me in opposing this rule.

Mr. HASTINGS of Florida. I would like, at this time, to ask of the Speaker how much time remains on each side, please.

The SPEAKER pro tempore. The gentleman from Florida has 15½ minutes, and the gentleman from Texas has 16 minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 4 minutes to the distinguished gentlewoman from Connecticut, my good friend, a member of the Appropriations Committee, Ms. DELAURO.

Mr. DELAURO. Mr. Speaker, I rise in support of this rule, and I commend the chairman and the staff for an excellent bill which reflects our noblest priorities as a Nation. It has been said that a society should be judged by how it treats its least fortunate members. And with this bill, I believe we do our Nation proud. The goal of the bill has always been to make a strong investment in our future, to take seriously our responsibilities to the American public on the issues that affect people every single day, from our health, to our children's education, to scientific research that will unlock the cures of tomorrow, from protecting workers to providing the training that they need to succeed in today's economy.

Our bill does not disappoint. And, yes, to help States serve both the 14 million unemployed Americans and the many more millions of underemployed Americans, the bill provides resources for training, for supportive services to workers affected by mass layoffs and plant closures.

On worker protection, the bill provides an increase to key health and safety programs that protect the more than 140 million strong American workforce. On education, the bill restores critical funding to Title 1 so that disadvantaged children can continue to gain the educational skills

that they need to thrive. On special needs education, the bill says to our States, the Federal Government is going to begin to make good on its promise, not leave you with an unfunded mandate to pick up the cost for special needs kids, but we are going to make a contribution to that, and we do so with a 25 percent Federal contribution.

I'm personally grateful to the chairman for continuing the funding for the Even Start Program. The bill makes real progress toward aiding college students with a significant increase in the Pell Grant, allowing us to raise the maximum Pell Grant award to \$5,550. And with regard to my colleague's comments on direct loans, yes, essentially what we're doing there is taking bank profit out of that equation and allowing for families to be able to get the kinds of loans that they need for their children without having to pay additional money to add to the coffers and the profits of banks.

In the area of medical research, the bill provides continued investment and lifesaving innovations at the National Institutes of Health, provides resources to lead us into the future of a new health care system. The bill insures that 7½ million low-income households continue to receive home energy assistance. It supports the Community Service Block Grant. It allows States to expand critical services such as housing, home weatherization, parenting education, adult literacy classes and emergency food assistance.

Mr. Speaker, this bill not only reflects a commitment to our longstanding responsibilities, but this Congress' continued commitment to fiscal responsibility. In addition to the investments which are made, the program includes terminations, reductions and other savings when compared to last year totaling \$1.3 billion and \$3.3 billion when compared to what the budget request was about.

We will accomplish a lot of goodwill with this bill. I especially want to highlight and commend Chairman OBEY for again including the Reducing the Need for Abortion Initiative, total investment of \$7.8 billion for programs such as Title X and Healthy Start teen pregnancy prevention, adoption awareness, after school programs and child care programs for new parents attending college, just to name a few.

Mr. Speaker, I am proud to be a member of this subcommittee. Its members and the work that we do every year, we live up to our moral responsibility to promote the general welfare, care and comfort the afflicted. It makes opportunity real for millions of Americans.

□ 1015

Mr. SESSIONS. Mr. Speaker, this floor is home to lots of people and to lots of ideas, but once again, we see from a senior member of the Democratic Party the words "fiscal responsibility" attached to this Congress. In-

credible. Secondly, we heard, "and let's take the bank profits out of the equation." Once again, the dialogue from this floor is really to bankrupt this country and to kill the free enterprise system. I see it firsthand right here on the floor.

Mr. Speaker, I would like to yield 3 minutes to the gentleman, the ranking member of Education, Labor and the Work Force, the distinguished gentleman from Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. I thank the gentleman for yielding.

Mr. Speaker, I rise in very strong opposition of this rule. Yet again, this majority is stifling debate, and it is limiting opportunities for Members on both sides of the aisle to have a say in how we fund vital and some not so vital spending programs. Unfortunately, this time, it comes at the expense of some of our Nation's most vulnerable citizens.

Mr. Speaker, I am here because I had hoped to debate an amendment that would benefit every school in America and would begin to fulfill a commitment that has been slighted by Congress for far too long. This amendment, offered by Mr. TIAHRT of Kansas and myself, would have provided critical support for the Individuals with Disabilities Education Act, IDEA.

This act was created in 1975 to help States provide a free, appropriate public education for children with disabilities. At that time, Congress told the States that Congress would provide 40 percent of the excess costs of educating these students. Now, almost 35 years later, that funding stands below 17 percent, and even with the onetime spike of the stimulus bill, we fall far short of the 40 percent. We are overdue in keeping our promises here. We must fulfill this commitment. Our amendment would have taken a small step toward that goal by giving the IDEA an additional \$1 billion this year. Had it been ruled in order, this amendment would have increased funding for IDEA to 18.3 percent, and it would have put us on a course toward meeting this obligation for the long term.

This may be seen as a small step, but Mr. TIAHRT and I believe it is time to put first things first, and that means living up to our funding commitments under IDEA before we create and expand unnecessary programs that are contained in this bill. If we were to fully fund IDEA, our local schools would have more of their own money to use for their specific needs, whether that is recruiting new teachers and the best new technology, reducing class sizes, or encouraging community service.

Mr. Speaker, this is exactly the kind of amendment that should have been made in order. It is 100 percent germane. It addresses priorities within the confines of the jurisdiction of this bill.

Should we spend more money on a new program or should we meet our commitment? We, the Members of this body, all of us, ought to have the

chance to say where those priorities lie. Do they lie with our schools across the board, with every school in America? Do they lie with our children's special needs or do they lie with some new program? That is a fair debate and one we ought to be having.

What has happened is, perhaps the chairman, perhaps the Rules Committee chairman, perhaps leadership on the other side has decided what those priorities ought to be, and the rest of us will have no say in making that determination. This body is supposed to have the opportunity to represent our constituents, to represent our best judgment and to give us a say in where those priorities are, and this rule denies that.

Mr. HASTINGS of Florida. Mr. Speaker, when I was a child, there was a radio program called "Let's Pretend." It came on Saturdays. I really enjoyed that program, and I'm beginning to enjoy my colleagues who pretend as if other days didn't exist. Twelve billion dollars was put in the exact same program that the previous speaker spoke about just past. Not one Member of the Republican Party voted for it. Come on, gang. Let's stop playing "let's pretend."

Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, I rise in support of the rule and in strong opposition to the Pence amendment.

At a time when we are consumed with discussions of expanding health care to the uninsured and on improving our health care system, I find this amendment confusing. The Pence amendment would effectively cut off 1.7 million women from what, in many cases, serves as their primary care provider, Planned Parenthood.

Aren't we trying to expand coverage, not limit it?

Thirty-six percent of women receiving family planning care through the Title X program do so through Planned Parenthood. Let's be clear: These services do not include abortion. Title X dollars are prohibited from being spent on abortion. The services we are talking about cutting include breast exams, the testing for cervical cancer, the screenings for sexually transmitted diseases, HIV screening, and family planning services.

Planned Parenthood has worked for over 90 years to educate women about pregnancy and to help prevent unintended pregnancies and, thus, the need for abortion. For 1.7 million, the only medical care they will be able to receive this year is from a provider at Planned Parenthood. Why, when we are working so diligently to reform our health care system, would we take away the only source of health care to so many women?

Vote "no" on this destructive amendment. Vote "no" on the Pence amendment.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 3½ minutes

to the distinguished gentleman from Indiana, the Republican Conference chairman (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise in opposition to the rule, and I rise in support of the Pence amendment.

I welcome the opportunity to debate my distinguished colleague on the topic on the floor, and will do so respectfully in an effort to alleviate what he described as his confusion about the bill.

A couple of basic facts: Planned Parenthood is the largest abortion provider in America. According to their annual report, most recently, they boasted of having performed more than 300,000 abortions in this country.

Another fact: Planned Parenthood is the largest recipient of Federal funding under Title X. According to that same annual report, Planned Parenthood received approximately \$350 million in government grants and contracts.

The Pence amendment before the Congress today simply states that none of the funds made available under this act shall be available to Planned Parenthood for any purpose under Title X of the Public Health Services Act. The largest abortion provider in America should not also be the largest recipient of Federal funding under Title X. As I believe a majority of the American people would attest, the time has come to deny all Federal funding to Planned Parenthood of America.

Now the case for that: The Public Health Services Act was first enacted in 1946 and in 1970. It included the creation of Title X. Title X is the only Federal grant program that provides Americans with comprehensive family planning and related preventative health care services.

As my colleague just said, let me echo: Title X does provide a broad range of important and quality services to the underserved community in this country. Over 4 million Americans are served every year, 67 percent of whom are low-income. Approximately 600,000 abortions are prevented by Title X family planning funding, and it's reassuring to many of us that abstinence education is required of many clinics.

First, the Pence amendment does not cut or reduce the budget for family planning by one penny. Let me say that again to my colleagues in the majority, to whom I am grateful today to have been extended the opportunity to bring this amendment. The Pence amendment does not cut one penny from the budget of Title X.

Also, let me make a very clear point. I understand that current law and regulation prevents Title X funds from going directly to fund abortions, as my colleague just said, but there is no question that the money that Planned Parenthood receives for its operational expenses from the Federal Government frees up resources that can be used to provide and to promote abortions

through its abortion clinics. Common sense teaches no other idea.

So these are important points as I rise and urge what I believe will be bipartisan support for this amendment. I believe it echoes the views of millions of Americans on the point as well. We could talk about the role Planned Parenthood plays in the abortion trade in this country. We could talk about the real scandal of the fact that 1 out of every 2 African American pregnancies ends in abortions. We could talk about the allegations of fraud and investigation; but let me just say to my colleagues:

The time has come to deny all Federal funding to Planned Parenthood. We have the opportunity to do it today. I urge the adoption of the Pence amendment.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend, the gentleman from California and a member of the subcommittee on Labor, Health, Human Services, and Education (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I am just a little bit concerned about information that has been shared with the public and through the media about the student loans and about the criticism of the fact that banks and other financial institutions were being eliminated from this ability to provide direct student loans to our students and were charging them interest rates.

As a teacher and as a person who used to receive student loans, I think that it's really misleading the public when we say that they're being put out of business when, in fact, the Federal Government subsidizes these banks and these financial institutions to provide the student loans, and then they add on top of that the subsidy that they're going to charge interest to the students so that these banks and financial institutions will be making money on Federal dollars and on the backs of students. That is so wrong, and I think that that has to be clarified.

So I just wanted to make that clarification, not only as a person who used to receive student loans and who made it through school, but also as a teacher who wants to make sure that our students get a fair break and that the taxpayers get a fair break.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 2 minutes to the distinguished gentleman from Tarkio, Missouri (Mr. GRAVES).

Mr. GRAVES. I thank the gentleman.

Mr. Speaker, I rise today in opposition to this proposed rule. I don't know what it is about open debate and process that some leaders in this House fear so much.

Today, the House of Representatives is considering an appropriation bill under a closed rule. In fact, yesterday, we learned that the option of the health care legislation's bypassing the House Energy and Commerce Committee isn't off the table since neither the Speaker nor the chairman have the

votes in committee to pass their multi-trillion-dollar Big Government health bill.

My own amendment that I offered, along with Congressman BONNER, to today's bill was rejected. It didn't violate a single rule of the House, but because the Speaker doesn't want Members to protect small businesses from their onerous mandates and tax increases, the message is loud and clear to me. The majority has no plans to protect small businesses in any health care plan that comes to this floor.

This is unacceptable, and the majority leadership's legislative game of hide-and-seek can only last so long. Sooner or later, when health care legislation comes to the floor, Members of this body are going to have to make a decision. They're either going to vote to increase taxes and force everybody into a government-run health care plan or they're going to have to vote it down.

Mr. Speaker, I strongly urge my colleagues to join me in standing up for our Nation's small businesses today by voting against this rule. I appreciate the opportunity.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Speaker, I wanted to clarify something that was said earlier. The gentleman from the Rules Committee mentioned or suggested that I had tied up the Leg Counsel office by offering 540 amendments for the no-bid contract in the defense bill for next week.

In truth, we went to the Leg Counsel office because we were concerned about that, and they worked with us so that we could draft all of those amendments and so that they didn't have to do any of it. We didn't consume any of their time.

If the gentleman has other information, I would ask him, please, to say so, but I think to suggest that we're doing that is, one, unfair to Leg Counsel. They work hard over there, and they do a great job. Secondly, it's unfair to my staff, who has worked a long time, late into the night, to do that.

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. FLAKE. I will yield to the gentleman.

Mr. HASTINGS of Florida. When I stood before, evidently, you were distracted, and didn't hear me when I said I was duly chastened and appreciated the fact that you took that burden off of legislative counsel. I said, perhaps, you ought to consider taking that burden off your staff as well.

Mr. FLAKE. I appreciate it. I have a very hardworking staff. They deserve a lot of credit.

□ 1030

Also, since we have the chairman of the Appropriations Committee here

and he was mentioning the process that's been gone through, and I, like our representative from the Rules Committee, are now learning who it seems controls what goes on in the Rules Committee. But I'm wondering why my unanimous consent request to simply swap amendments that were germane, like, for example, on financial services, the amendment to protect broadcaster freedom was not allowed. It came within the time constraints. It was germane. It was even offered last year and passed by an overwhelming margin. Why was unanimous consent not received to swap that?

I would ask either the gentleman from the Rules Committee or the gentleman from the Appropriations Committee.

Mr. HASTINGS of Florida. If the gentleman will yield.

Mr. FLAKE. Yes, I will.

Mr. HASTINGS of Florida. I believe you understand that it was not made in order under the rule, and toward that end, I think that's your answer.

One of the things I keep hearing—

Mr. FLAKE. I reclaim my time.

There was another one. I asked unanimous consent to swap one of my amendments for the D.C. voucher amendment in D.C. Again, it fell within the time constraints.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. I think the gentleman, Mr. FLAKE, makes a point that it's a shame that we have to come beg the Rules Committee for what for 229 years has been appropriate on the floor.

Mr. Speaker, I would like to yield 2 minutes to the gentleman from Iowa, the distinguished gentleman, Mr. KING.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas for his yielding and for his relentless work on the Rules Committee that has taken on a responsibility that goes beyond what was anticipated by the Founding Fathers or the tradition of this House.

Mr. Speaker, 229 years, and Members are reduced to sitting in tiny little chairs with their elbows tucked into their waistline, not having room for their own staff to come in the room, sending e-mails out where the staff has congregated in order to get a piece of paper handed in that you might need to beg the Rules Committee to allow for an open debate here on the floor of the House of Representatives. This is the deconstruction of deliberative democracy. This usurps 229 years of tradition in this House, and it muzzles Members of the United States Congress and disenfranchises the people on this side of the aisle especially that represent over 600,000 people.

I have offered, the number goes upwards of 40 amendments to the Rules Committee. Only two have been allowed to come to the floor. Both of them passed. In 2007, the last time we had a legitimate open rules process under appropriations, I offered something like 12 amendments; nine of them

passed. I don't think anybody in Congress was successful in passing more amendments than I happened to have been myself, but my constituents have been muzzled by this.

Today, my amendment that was offered would have cut off funding to the criminal enterprise ACORN in light of this report that came out of the Government Reform Committee that is about 82 pages long and now lists 361 entities that are affiliated with ACORN and claims that there has been systemic fraud, that they have created a paper wall, that they are a criminal conspiracy, that they have laundered Federal money, that they manipulated the elections and the electorate of the United States of America, that they have evaded taxes, that they have obstructed justice, that they have covered up embezzlement of \$948,607.50 embezzled by the brother of the founder and covered it up for 8 years.

The gross abuse of tax laws that is affiliated with that and other book-keeping procedures, the documents they have from insiders, the definitive evidence that is here, this amendment needs to be allowed, and this rule needs to be voted on.

Mr. SESSIONS. Mr. Speaker, Republicans are on the floor today asking the question, where are the jobs and what about the process of the ability to come and talk on this floor about issues and ideas, ideas that these Members have.

I was reminded again today in looking at Congress Daily dated Friday, July 24, and while it was talking about health care, it's really a philosophy, and they're quoting the House Rules Committee Chairman LOUISE SLAUGHTER of New York. And I will quote what's in here: We can do anything up there in the Rules Committee. We can do anything.

What that really means is they can do whatever they want to do. Evidently Speaker PELOSI really does run the Rules Committee. We can do anything up there, even muzzle all of the Members of this floor.

Mr. Speaker, I will be asking for a "no" vote on the previous question so we can amend this horrible rule, the muzzle rule, and allow for an open rule. There is no question that the rule the majority brings forth today will only submit the dangerous precedent the majority set earlier this year. Every single appropriations bill. It will only damage bipartisanship and, really, the nature of this body.

I urge my colleagues to vote "no" on the previous question so we can allow free and open debate on the appropriations bills and uphold the right of millions of Americans, or perhaps more than that, just the Members of Congress who come here and do this work every day.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. I urge a "no" vote on the previous question and a "no" vote on the rule.

Mr. Speaker, Members of Congress need to get this. Every single one of us can say "no" to the way this body is being run and just put us on a different course, a course that we have had for all these years. We recognize what open and honest and ethical government is. And today, we had Members of this body come to the floor and talk about openness, about ethics with the gentleman, Mr. FLAKE, and about the ability of this body to run as it has in its entire history.

We Republicans don't understand why this big change. We do understand why we are in a deep recession. We do understand President Obama has an economic problem because he has helped create that, and we do understand Obama economics are about destroying the free enterprise system of this country on behalf of government. What we don't get is why can't Members of Congress openly debate this issue.

Vote for it and have openness and ethics at the same time. Mr. Speaker, I'm going to vote "no."

I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

I will take just one moment to make it very clear that there is nothing that's being done by the President of the United States or this Congress that is going to destroy the free enterprise system in the United States of America. The free enterprise system cannot be destroyed by any of us.

The proposals that are being offered on a variety of measures, and particularly this one, increases opportunity for the least of us and those in the middle that have been hit the hardest by our colleagues on the other side. They can name it anything they want to. It doesn't have to be class warfare. People can come up here and talk all they please. Middle class Americans have carried the weight of this country for a substantial period of time.

Now we're in two wars and we find ourselves in a position of having to try to right an economy that allows, among other things, that we had taken a surplus and turned it into a deficit. That is irrefutable.

President Obama has been in office 6 months. Let's give him a little bit more time. Let's give this Democratic Congress the time, as we are undertaking right now, to do something that hasn't been done in quite a while, and that is to complete the appropriations process, which is our principle work here on behalf of the American people.

Mr. Speaker, for years, Republicans thought that they could ignore our children and ignore the poor, ignore the middle class, ignore the unem-

ployed and ignore the uninsured, and somehow our Nation would magically prosper. Footnote right there: All of these people that keep talking about health care, all of these folks who say we can't do health care, I have been here 17 years and we haven't done it. One thing I know for sure is, if we do nothing, health insurance rates will rise and the cost of health care will increase.

Well, Mr. Speaker, now we are seeing the repercussions of the philosophy of the past. Our economy is in grave distress. Everybody knows that. Millions are out of work. My colleague asked, Where are the jobs? There is no one in the House of Representatives that would not do anything and everything that he or she could to ensure that every American is employed. Much of what's in these programs will help many of those Americans.

Our Nation's schools are falling further behind than their overseas' counterparts right in our face and have been, and these are the people that said leave no children behind. They didn't only leave children behind, they lost them and couldn't find them.

Now, while my Republican colleagues continue to play politics with this measure, I remind them that we are facing grave problems in this country. We must put the empty, divisive rhetoric aside and pass the bill so that we can provide real relief for those struggling in this economy, shoring up our Nation's health and social safety nets by protecting our workforce and increasing access to the education and training opportunities that are vital to our country's long-term economic recovery and success.

And no, America, no free enterprise is going to be lost. And no, America, there is no reason to fear. The fear would come from the people that caused us to be in this position in the first place.

I urge a "yes" vote on the previous question and the rule.

Mr. POLIS. Mr. Speaker, I rise today in strong support of this rule and the underlying bill.

I would like to thank Chairman OBEY for his leadership in developing a bill that represents a major investment in our nation's human capital and strikes a responsible balance between funding critical priorities that will put the nation on a path toward growth and prosperity and making the necessary adjustments for controlling spending and promoting government efficiency. I would like to thank his committee staff for all of their hard work in achieving all this within reasonable spending constraints.

As a strong proponent of adequate federal funding for education, I believe that this bill builds upon the historic investments Congress made in the Recovery Act and provides unprecedented support to help close the achievement gap plaguing our schools. The inclusion of several key investments will help America achieve educational excellence for all children and retain its global competitiveness and leadership.

From funding for schools serving low-income children, special education, adult edu-

cation, adolescent literacy, Head Start, and English Language Learners, to Pell Grants and other programs that help disadvantaged and first-generation college students to attend and graduate from college, this bill takes another bold step toward our shared goal of providing educational opportunity to each and every child.

And as a longtime advocate of education reform and innovation, I am particularly pleased that this bill proposes more than quadrupling funding for the Teacher Incentive Fund, which will help reward effective teaching outcomes in high-need schools, and a significant increase of \$40 million to support the start-up of additional new public charter schools. Also, for the first time, this legislation recognizes that the federal role in public charter schools needs to move beyond the start-up phase to scaling up successful innovation by allowing the Secretary of Education to provide up to \$30 million to organizations to replicate and expand outstanding charter school models.

The need to build on and scale up educational innovation that gets the job done is greater than ever and this new flexibility is an important step in the right direction. I would like to thank Chairman OBEY for incorporating this recommendation in the Manager's Amendment. However, given the large number of exceptional models with a proven track record of serving the needs of at-risk students and closing the achievement gap, this approach cannot meet our public charter school expansion and replication needs.

That is why I will soon introduce the All Students Achieving through Reform (All-STAR) Act to create a new competitive grant program in the Department of Education to enable and encourage excellent public charter schools to expand and replicate. This bill will allow more students in underperforming schools to access educational opportunity and realize their full potential, while strengthening accountability and transparency.

But in addition to education investments, which will pave the road for our nation's long-term future, this bill provides immediate relief to the American people who are experiencing the longest and deepest economic downturn since the Great Depression and tackles the challenges facing hard-working families, local communities and states across the country. With vital services being cut back and eliminated, this bill protects the most vulnerable among us, supports our health and social safety net, and gives hope to all those struggling for economic survival.

Few things can be more disruptive and destabilizing than a job loss. Uncertainty and economic insecurity have a devastating effect on families and communities. This bill helps unemployed and underemployed workers by providing training and supportive services to dislocated workers, veterans transitioning to the civilian workforce, and older workers. It offers at-risk youth the opportunity to earn high school credentials and construction skills training while building affordable housing for homeless families, and prepares workers for careers in energy efficiency, renewable energy, health professions, and other high-demand and emerging industries. It also helps States process unemployment insurance claims, strengthens worker safety and health law enforcement, and ensures that approximately 7.5 million low-income households continue to receive the home energy assistance they need in a volatile energy market.

As we move forward to enact meaningful health care reform, we must also continue to support the infrastructure that serves many of the uninsured and most vulnerable populations. This bill achieves this goal and lays the groundwork for the comprehensive reform we're working so hard to pass. Community health centers play an essential role in rural and urban areas by addressing unmet primary health care needs. Recognizing this, the funding in this bill will serve 17 million patients, of whom 40 percent are uninsured, in 7,500 service delivery sites.

My district is home to several such community health centers, including Clinica Family Health Service. Clinica's mission is to provide high-quality health care services to low-income and other underserved people in South Boulder County, Broomfield County and West Adams County. Last year, Clinica provided 160,190 medical, dental, behavioral health and health education encounters to 34,257 Coloradans at its four clinics, which are located in Boulder, Lafayette, Thornton and unincorporated Adams County. Half of its patients had no health insurance.

I would like to thank Chairman OBEY for providing Clinica with funds that will be used to help cover the cost of technology upgrades and medical and dental equipment for a new clinic in Boulder and a dental clinic in West Adams County. The new facilities will allow Clinica to serve an additional 1,500 people with medical care and 3,500 people with dental care annually, while the information and communications technology upgrades will significantly improve clinical quality and efficiency.

Finally, this bill also provides funding to the National Institutes of Health for biomedical research to improve health and reduce health care expenditures that will help doctors move away from today's costly and predominantly curative model to a presumptive model, allowing intervention before disease occurs. Further, it increases funding for public health programs administered by the Centers for Disease Control and Prevention and for mental health services, and substance abuse and treatment programs administered by the Substance Abuse and Mental Health Services Administration.

Mr. Speaker, by helping people train for jobs, protecting workers, meeting the needs of our nation's most vulnerable populations, laying the groundwork for comprehensive reform of health insurance, and providing historic levels of education funding, this bill represents a responsible, yet bold, step to a more prosperous, healthier, and stronger America.

I urge passage of this rule and the underlying bill.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 673 OFFERED BY MR. SESSIONS OF
TEXAS

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other

purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's "American Congressional Dictionary"*: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually

the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. HASTINGS of Florida. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas the gentleman from Georgia, Mr. Price, submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010;

Whereas the said gentleman's amendment would have required that none of the funds made available in this Act be used to establish, issue, implement, administer, or enforce any prohibition or restriction on the otherwise lawful possession or use of firearms in federally assisted housing;

Whereas the Second Amendment of the United States constitution guarantees that "the right of the people to keep and bear Arms, shall not be infringed";

Whereas the Second Amendment applies equally to all Americans, regardless of who owns or pays for their housing;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Ms. Pelosi, the Democrat leadership, and the chairman of the

Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Georgia's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Does the gentleman from Georgia wish to present an argument on why the resolution qualifies as privileged?

Mr. PRICE of Georgia. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Georgia may proceed.

Mr. PRICE of Georgia. Mr. Speaker, this House operates under rules, or it's supposed to operate under rules, rules that have been longstanding in the House and that are incorporated in written form. And rule IX of those rules of the House states specifically, Members may raise questions "affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings" and those affecting the rights of Members individually in their representative capacity.

So the question is, Mr. Speaker, what is more fundamental to the rights of the Members of this House than the ability to represent their constituents and to affect the legislation that's brought to the floor?

The Democrat majority, under Speaker PELOSI, has unilaterally—some would say brazenly, some would say repressively—ended a 220-year tradition of allowing any Member to allow a spending bill.

□ 1045

The SPEAKER pro tempore. The Chair must remind the gentleman that his remarks must be confined to the question of order, to wit: why the resolution has precedence over other questions under rule IX.

Mr. PRICE of Georgia. And that's precisely what I'm attempting to do, Mr. Speaker.

When my constituents sent me here to Congress, they didn't send me here to just push buttons. What they sent me here to do was to exercise every single ability that a Member of the House is granted. And one of the abilities that the Member of the House is granted is the opportunity to affect legislation.

And under rule IX, which states, Mr. Speaker, that the proceedings should not affect the rights of the Members individually in their Representative capacity, so if being denied the ability to offer an amendment doesn't affect the rights of this House, if it doesn't affect the dignity and integrity of its proceedings, if it doesn't affect my rights as a Representative, then I don't know what does, Mr. Speaker.

I don't know what does. If Members are not allowed to offer amendments, then the Member, him or herself, is unable to represent their constituents and consequently is disenfranchising every single American.

So, Mr. Speaker, I would contend respectfully that the inability of Members to offer amendments is an indignity upon the House and makes it so that Members are not able to exercise their representative capacity.

And I appeal to the Chair to see the light of day and allow this privileged resolution to move forward.

The SPEAKER pro tempore. The Chair is prepared to rule.

In evaluating the resolution offered by the gentleman from Georgia under the standards of rule IX, the Chair must be mindful of a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual, to wit: that a question of the privileges of the House may not be invoked to prescribe a special order of business for the House.

The Chair finds that the resolution offered by the gentleman from Georgia, by proposing directly to amend House Resolution 669, prescribes a special order of business. Under a long and well-settled line of precedent presently culminating in several rulings during this first session of the 111th Congress, such a resolution cannot qualify as a question of the privileges of the House.

The Chair, therefore, holds that the resolution is not privileged under rule IX for consideration ahead of other business. Instead, the resolution may be submitted through the hopper in the regular course.

Mr. PRICE of Georgia. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. HASTINGS of Florida. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to lay the appeal on the table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 673; adopting House Resolution 673, if ordered; suspending the rules on House Resolution 538, House Resolution 285, and House Resolution 519, if ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 182, not voting 13, as follows:

[Roll No. 638]

YEAS—238

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca

Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman

Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccheri
Boswell
Boucher

Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa

Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebbeck
Loftgren, Zoe
Lowey
Lujan
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarella
Pastor (AZ)
Payne
Perlmutter

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggart
Billray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)

Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxo
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte

Graves	Manzullo	Rogers (MI)
Guthrie	Marchant	Rohrabacher
Hall (TX)	McCarthy (CA)	Rooney
Harper	McCaul	Ros-Lehtinen
Hastings (WA)	McClintock	Roskam
Heller	McCotter	Royce
Hensarling	McHenry	Ryan (WI)
Herger	McHugh	Scalise
Hill	McKeon	Schmidt
Hoekstra	McMorris	Schock
Hunter	Rodgers	Sensenbrenner
Inglis	McNerney	Sessions
Issa	Mica	Shadegg
Jenkins	Miller (FL)	Shimkus
Johnson (IL)	Miller (MI)	Shuler
Johnson, Sam	Miller, Gary	Shuster
Jones	Minnick	Smith (NE)
Jordan (OH)	Moran (KS)	Smith (NJ)
King (IA)	Murphy, Tim	Smith (TX)
King (NY)	Myrick	Souder
Kingston	Neugebauer	Stearns
Kirk	Nunes	Sullivan
Kline (MN)	Nye	Taylor
Kosmas	Olson	Terry
Kratovil	Paulsen	Thompson (PA)
Lamborn	Pence	Thornberry
Lance	Petri	Tiahrt
Latham	Pitts	Tiberi
LaTourette	Platts	Turner
Latta	Poe (TX)	Upton
Lee (NY)	Posey	Walden
Lewis (CA)	Price (GA)	Wamp
Linder	Putnam	Westmoreland
LoBiondo	Radanovich	Whitfield
Lucas	Rehberg	Wilson (SC)
Luetkemeyer	Reichert	Wittman
Lungren, Daniel	Roe (TN)	Wolf
E.	Rogers (AL)	Young (AK)
Mack	Rogers (KY)	

NOT VOTING—13

Barrett (SC)	Johnson (GA)	Paul
Bishop (UT)	Lummis	Sutton
Dahlkemper	McCarthy (NY)	Young (FL)
Davis (IL)	McGovern	
Granger	Murphy (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1113

Messrs. POSEY, GUTHRIE, CARTER, HOEKSTRA, KRATOVIL, HILL and BOREN changed their vote from “yea” to “nay.”

Mrs. HALVORSON and Messrs. LARSON of Connecticut and FOSTER changed their vote from “nay” to “yea.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. LUMMIS. Mr. Speaker, on rollcall No. 638, I was in a House Budget Committee hearing questioning Interior Secretary Salazar. Had I been present, I would have voted “no.”

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB B. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore (Mr. STUPAK). Pursuant to the Chair’s announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3293, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 673, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 181, not voting 13, as follows:

[Roll No. 639]

YEAS—239

Abercrombie	Dingell	Kissell
Ackerman	Doggett	Klein (FL)
Adler (NJ)	Donnelly (IN)	Kosmas
Altmore	Doyle	Kucinich
Andrews	Driehaus	Langevin
Arcuri	Edwards (MD)	Larsen (WA)
Baca	Edwards (TX)	Larson (CT)
Baird	Ellison	Lee (CA)
Baldwin	Engel	Levin
Barrow	Eshoo	Lewis (GA)
Bean	Etheridge	Lipinski
Becerra	Farr	Loeb sack
Berkley	Fattah	Lowey
Berman	Filner	Lujan
Berry	Foster	Lynch
Bishop (GA)	Frank (MA)	Maffei
Blumenauer	Fudge	Maloney
Boccheri	Giffords	Markey (CO)
Boren	Gonzalez	Markey (MA)
Boswell	Gordon (TN)	Marshall
Boucher	Grayson	Massa
Boyd	Green, Al	Matheson
Brady (PA)	Green, Gene	Matsui
Braley (IA)	Griffith	McCollum
Bright	Grijalva	McDermott
Brown, Corrine	Gutierrez	McGovern
Butterfield	Hall (NY)	McIntyre
Capps	Halvorson	McMahon
Capuano	Hare	McNerney
Cardoza	Harman	Meek (FL)
Carnahan	Hastings (FL)	Meeks (NY)
Carney	Heinrich	Michaud
Carson (IN)	Herseth Sandlin	Miller (NC)
Castor (FL)	Higgins	Miller, George
Chandler	Himes	Mollohan
Chu	Hinche	Moore (KS)
Clarke	Hinojosa	Moore (WI)
Clay	Hirono	Moran (VA)
Cleaver	Hodes	Murphy (CT)
Clyburn	Hoekstra	Murphy, Patrick
Cohen	Holden	Murtha
Connolly (VA)	Holt	Nadler (NY)
Conyers	Honda	Napolitano
Cooper	Hoyer	Neal (MA)
Costa	Inslee	Oberstar
Costello	Israel	Obey
Courtney	Jackson (IL)	Olver
Crowley	Jackson-Lee	Ortiz
Cuellar	(TX)	Pallone
Cummings	Johnson, E. B.	Pascarell
Davis (AL)	Kagen	Pastor (AZ)
Davis (CA)	Kanjorski	Payne
Davis (IL)	Kaptur	Perlmutter
Davis (TN)	Kennedy	Peters
DeFazio	Kildee	Peterson
DeGette	Kilpatrick (MI)	Pingree (ME)
Delahunt	Kilroy	Polis (CO)
DeLauro	Kind	Pomeroy
Dicks	Kirkpatrick (AZ)	Price (NC)

Quigley	Scott (GA)	Tierney
Rahall	Scott (VA)	Titus
Rangel	Serrano	Tonko
Reyes	Sestak	Towns
Richardson	Shea-Porter	Tsongas
Rodriguez	Sherman	Van Hollen
Ross	Sires	Visclosky
Rothman (NJ)	Skelton	Walz
Roybal-Allard	Slaughter	Wasserman
Ruppersberger	Smith (WA)	Schultz
Rush	Snyder	Waters
Ryan (OH)	Space	Watson
Salazar	Speier	Watt
Sanchez, Linda	Spratt	Waxman
T.	Stark	Weiner
Sanchez, Loretta	Stupak	Welch
Sarbanes	Sutton	Wexler
Schakowsky	Tanner	Wilson (OH)
Schauer	Taylor	Woolsey
Schiff	Teague	Wu
Schrader	Thompson (CA)	Yarmuth
Schwartz	Thompson (MS)	

NAYS—181

Aderholt	Frelinghuysen	Murphy, Tim
Akin	Gallely	Myrick
Alexander	Garrett (NJ)	Neugebauer
Austria	Gerlach	Nunes
Bachmann	Gingrey (GA)	Nye
Bachus	Gohmert	Olson
Bartlett	Goodlatte	Paulsen
Barton (TX)	Graves	Pence
Biggert	Guthrie	Perriello
Bilbray	Hall (TX)	Petri
Bilirakis	Harper	Platts
Bishop (NY)	Hastings (WA)	Poe (TX)
Blackburn	Heller	Posey
Blunt	Hensarling	Price (GA)
Boehner	Herger	Putnam
Bonner	Hill	Radanovich
Bono Mack	Hunter	Rehberg
Boozman	Inglis	Reichert
Boustany	Issa	Roe (TN)
Brady (TX)	Jenkins	Rogers (AL)
Broun (GA)	Johnson (IL)	Rogers (KY)
Brown (SC)	Johnson, Sam	Rogers (MI)
Brown-Waite,	Jones	Rohrabacher
Ginny	Jordan (OH)	Rooney
Buchanan	King (IA)	Ros-Lehtinen
Burgess	King (NY)	Roskam
Burton (IN)	Kingston	Royce
Buyer	Kirk	Ryan (WI)
Calvert	Kline (MN)	Scalise
Camp	Kratovil	Schmidt
Campbell	Lamborn	Schock
Cantor	Lance	Sensenbrenner
Cao	Latham	Sessions
Capito	LaTourette	Shadegg
Carter	Latta	Shimkus
Cassidy	Lee (NY)	Shuler
Castle	Lewis (CA)	Shuster
Chaffetz	Linder	Simpson
Childers	LoBiondo	Smith (NE)
Coble	Lucas	Smith (NJ)
Coffman (CO)	Luetkemeyer	Smith (TX)
Cole	Lummis	Souder
Conaway	Lungren, Daniel	Stearns
Crenshaw	E.	Sullivan
Culberson	Mack	Terry
Davis (KY)	Manzullo	Thompson (PA)
Deal (GA)	Marchant	Thornberry
Dent	McCarthy (CA)	Tiahrt
Diaz-Balart, L.	McCaul	Tiberi
Diaz-Balart, M.	McClintock	Turner
Dreier	McCotter	Upton
Duncan	McKeon	Walden
Ehlers	McMorris	Wamp
Ellsworth	Rodgers	Westmoreland
Emerson	Melancon	Whitfield
Fallin	Mica	Wilson (SC)
Flake	Miller (FL)	Wittman
Fleming	Miller (MI)	Wolf
Forbes	Miller, Gary	Young (AK)
Fortenberry	Minnick	
Fox	Mitchell	
Franks (AZ)	Moran (KS)	

NOT VOTING—13

Barrett (SC)	Lofgren, Zoe	Paul
Bishop (UT)	McCarthy (NY)	Velázquez
Dahlkemper	McHenry	Young (FL)
Granger	McHugh	
Johnson (GA)	Murphy (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1121

So the previous question was ordered.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 187, not voting 14, as follows:

[Roll No. 640]

YEAS—232

Abercrombie	Gordon (TN)	Moore (KS)
Ackerman	Grayson	Moore (WI)
Adler (NJ)	Green, Al	Moran (VA)
Altmire	Green, Gene	Murphy (CT)
Andrews	Griffith	Murphy, Patrick
Arcuri	Grijalva	Murtha
Baca	Gutierrez	Nadler (NY)
Baird	Hall (NY)	Napolitano
Baldwin	Halvorson	Neal (MA)
Barrow	Hare	Oberstar
Bean	Harman	Obey
Becerra	Hastings (FL)	Oliver
Berkley	Heinrich	Ortiz
Berman	Higgins	Pallone
Berry	Himes	Pascarell
Bishop (GA)	Hinchee	Pastor (AZ)
Blumenauer	Hinojosa	Payne
Boren	Hirono	Perlmutter
Boswell	Hodes	Peters
Boucher	Holden	Peterson
Boyd	Holt	Pingree (ME)
Brady (PA)	Honda	Polis (CO)
Braley (IA)	Hoyer	Pomeroy
Brown, Corrine	Inslee	Price (NC)
Butterfield	Israel	Quigley
Capps	Jackson (IL)	Rahall
Capuano	Jackson-Lee	Reyes
Cardoza	(TX)	Richardson
Carnahan	Johnson (GA)	Rodriguez
Carney	Johnson, E. B.	Ross
Carson (IN)	Kagen	Rothman (NJ)
Castor (FL)	Kanjorski	Roybal-Allard
Chandler	Kaptur	Ruppersberger
Chu	Kennedy	Rush
Clarke	Kildee	Ryan (OH)
Clay	Kilpatrick (MI)	Salazar
Cleaver	Kilroy	Sánchez, Linda
Cohen	Kind	T.
Connolly (VA)	Kirkpatrick (AZ)	Sanchez, Loretta
Conyers	Kissell	Sarbanes
Cooper	Klein (FL)	Schakowsky
Costa	Kosmas	Schauer
Costello	Kucinich	Schiff
Courtney	Langevin	Schrader
Crowley	Larsen (WA)	Schwartz
Cuellar	Larson (CT)	Scott (GA)
Cummings	Lee (CA)	Scott (VA)
Davis (AL)	Levin	Serrano
Davis (CA)	Lewis (GA)	Sestak
Davis (IL)	Lipinski	Shea-Porter
Davis (TN)	Loebach	Sherman
DeFazio	Lofgren, Zoe	Sires
DeGette	Lowe	Skelton
Delahunt	Luján	Slaughter
DeLauro	Lynch	Smith (WA)
Dicks	Maffei	Snyder
Dingell	Maloney	Space
Doggett	Markey (CO)	Speier
Donnelly (IN)	Markey (MA)	Spratt
Doyle	Marshall	Stupak
Edwards (MD)	Massa	Sutton
Edwards (TX)	Matheson	Tanner
Ellison	Matsui	Taylor
Engel	McCollum	Teague
Eshoo	McGovern	Thompson (CA)
Etheridge	McIntyre	Thompson (MS)
Farr	McMahon	Tierney
Fattah	McNerney	Titus
Filner	Meek (FL)	Tonko
Foster	Meeks (NY)	Towns
Frank (MA)	Michaud	Van Hollen
Fudge	Miller (NC)	Velázquez
Giffords	Miller, George	Visclosky
Gonzalez	Mollohan	Walz

Wasserman
Schultz
Waters
Watson
Watt

Waxman
Weiner
Welch
Wexler
Wilson (OH)

Woolsey
Wu
Yarmuth

NAYS—187

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggett
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxy

NOT VOTING—14

Barrett (SC)
Bishop (UT)
Clyburn
Dahlkemper
Granger

McCarthy (NY)
McDermott
McHugh
Murphy (NY)
Paul

Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

□ 1128

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENCOURAGING SELECTION OF CHICAGO AS THE 2016 OLYMPIC HOST CITY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 538, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KLEIN) that the House suspend the rules and agree to the resolution, H. Res. 538, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title was amended so as to read: ‘‘Resolution supporting Olympic Day and encouraging the International Olympic Committee to select Chicago, Illinois, as the host city for the 2016 Olympic and Paralympic Games.’’.

A motion to reconsider was laid on the table.

CONGRATULATING LITHUANIA ON 1,000TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 285.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KLEIN) that the House suspend the rules and agree to the resolution, H. Res. 285.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING APPRECIATION OF CANADIAN FRIENDSHIP AND CO-OPERATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 519.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KLEIN) that the House suspend the rules and agree to the resolution, H. Res. 519.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on H.R. 3293.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 673 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3293.

□ 1131

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human

Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. HOLDEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Wisconsin (Mr. OBEY) and the gentleman from Kansas (Mr. TIAHRT) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I want to thank Mr. TIAHRT and every member of the subcommittee on both sides of the aisle for the work that they've put in in bringing this bill to the floor today. It's a controversial bill. I know we've had a lot of disagreements, but I think that the disagreement has not been disagreeable, and I appreciate that very much.

I want to thank Beverly Pheto, Rebecca Motley, Cheryl Smith, Susan Quantius, Nicole Kunko, Stephen Steigleder, Mike Gentilly, Amy Battaglia, Albert Lee, Christina Hamilton, and Ellis Brachman; and on the minority side, Steve Crane, Stephanie Meyers and AmyClaire Brusch for all of the staff work that has been put into this bill.

Mr. Chairman, this country has pushed a lot of money, government money, taxpayers' money, into the financial sector of the economy and Wall Street the last few months in order to try to stabilize the economy. This is the bill that tries to deal with the problems of everybody else in this society.

I urge its passage, and I reserve the balance of my time.

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		FY 2009		FY 2010	H.R. 3293 vs.			
		Comparable		Request	Comparable	Request		
100	TITLE I - DEPARTMENT OF LABOR						100	
150	EMPLOYMENT AND TRAINING ADMINISTRATION						150	
200	TRAINING AND EMPLOYMENT SERVICES						200	
250	Grants to States:						250	
300	Adult Training, current year.....	149,540	149,540	149,540	---	---	300	FF
350	Advance from prior year.....	(712,000)	(712,000)	(712,000)	---	---	350	
400	FY 2011.....	712,000	712,000	712,000	---	---	400	
410	Public Law 111-5 (emergency).....	500,000	---	---	-500,000	---	410	FF
450	Subtotal (excluding emergencies).....	861,540	861,540	861,540	---	---	450	
500	Youth Training.....	924,069	924,069	924,069	---	---	500	FF
510	Public Law 111-5 (emergency).....	1,200,000	---	---	-1,200,000	---	510	
550	Dislocated Worker Assistance, current year.....	335,840	335,840	321,731	-14,109	-14,109	550	FF
600	Advance from prior year.....	(848,000)	(848,000)	(848,000)	---	---	600	
650	FY 2011.....	848,000	848,000	862,109	+14,109	+14,109	650	
660	Public Law 111-5 (emergency).....	1,250,000	---	---	-1,250,000	---	660	FF
700	Subtotal (excluding emergencies).....	1,183,840	1,183,840	1,183,840	---	---	700	
710	Subtotal, Grants to States.....	5,919,449	2,969,449	2,969,449	-2,950,000	---	710	UA
720	Current Year.....	(1,409,449)	(1,409,449)	(1,395,340)	(-14,109)	(-14,109)	720	
725	Current Year (emergency).....	(2,950,000)	---	---	(-2,950,000)	---	725	
730	FY 2011.....	(1,560,000)	(1,560,000)	(1,574,109)	(+14,109)	(+14,109)	730	
732	Subtotal, Grants to States (excl. emergencies).....	2,969,449	2,969,449	2,969,449	---	---	732	UA
750	Federally Administered Programs:						750	
755	Dislocated Worker Assistance National Reserve:						755	
760	Current year.....	71,051	17,160	17,160	-53,891	---	760	FF
765	Public Law 111-5 (emergency).....	200,000	---	---	-200,000	---	765	FF
770	Advance from prior year.....	(212,000)	(212,000)	(212,000)	---	---	770	
780	FY 2011.....	212,000	212,000	197,891	-14,109	-14,109	780	
790	Subtotal (excluding emergencies).....	283,051	229,160	215,051	-68,000	-14,109	790	
792	Less Career Pathways Innovation Fund 1/.....	(-125,000)	---	---	(+125,000)	---	792	
793	Subtotal (excluding emergencies).....	158,051	229,160	215,051	+57,000	-14,109	793	
794	Subtotal, Dislocated Worker Assistance.....	1,341,891	1,413,000	1,398,891	+57,000	-14,109	794	UA
800	Native Americans.....	52,758	52,758	52,758	---	---	800	UA FF
850	Migrant and Seasonal Farmworkers.....	82,620	82,620	84,620	+2,000	+2,000	850	UA FF
855	Women in apprenticeship.....	1,000	1,000	1,000	---	---	855	FF
875	YouthBuild.....	70,000	114,476	100,000	+30,000	-14,476	875	FF
877	Public Law 111-5 (emergency).....	50,000	---	---	-50,000	---	877	FF
900	Subtotal, Federally Administered Programs (FAP).....	739,429	480,014	453,429	-286,000	-26,585	900	
910	Current Year.....	(277,429)	(268,014)	(255,538)	(-21,891)	(-12,476)	910	
912	Current Year (emergency).....	(250,000)	---	---	(-250,000)	---	912	
920	FY 2011.....	(212,000)	(212,000)	(197,891)	(-14,109)	(-14,109)	920	
925	Subtotal, FAP (excluding emergencies).....	489,429	480,014	453,429	-36,000	-26,585	925	
1300	National Activities:						1300	
1350	Pilots, Demonstrations and Research.....	48,781	57,500	66,990	+18,209	+9,490	1350	
1360	Green Jobs Innovation Fund.....	---	50,000	50,000	+50,000	---	1360	FF
1365	Public Law 111-5 (emergency).....	500,000	---	---	-500,000	---	1365	FF
1380	High Growth/Emerging industries/health sector jobs (PL 111-5) (emergency).....	250,000	---	---	-250,000	---	1380	FF
1420	Reintegration of Ex-Offenders.....	108,493	115,000	108,493	---	-6,507	1420	
1450	Evaluation.....	6,918	11,600	9,600	+2,682	-2,000	1450	
1515	Career Pathways Innovation Fund 1/.....	---	135,000	130,000	+130,000	-5,000	1515	
1516	Career Pathways Innovation Fund (NA)1/.....	(125,000)	---	---	(-125,000)	---	1516	
1517	Subtotal, program level.....	125,000	135,000	130,000	+5,000	-5,000	1517	
1525	Denali Commission.....	3,378	---	---	-3,378	---	1525	
1530	Workforce Data Quality Initiative.....	---	15,000	15,000	+15,000	---	1530	
1600	Subtotal (excluding emergencies).....	167,570	384,100	380,083	+212,513	-4,017	1600	UA FF
2100	Total, Training and Employment Services (TES).....	7,576,448	3,833,563	3,802,961	-3,773,487	-30,602	2100	
2151	Current Year.....	(1,854,448)	(2,061,563)	(2,030,961)	(+176,513)	(-30,602)	2151	
2155	Current Year (emergency).....	(3,950,000)	---	---	(-3,950,000)	---	2155	FF
2200	FY 2011.....	(1,772,000)	(1,772,000)	(1,772,000)	---	---	2200	
2202	Total, TES (excluding emergencies).....	3,626,448	3,833,563	3,802,961	+176,513	-30,602	2202	

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

				----- H.R. 3293 vs. -----			
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
2300	COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS.....	571,925	575,425	615,425	+43,500	+40,000	2300
2305	Public Law 111-5 (emergency).....	120,000	---	---	-120,000	---	2305
2310	Subtotal.....	691,925	575,425	615,425	-76,500	+40,000	2310
2311	Subtotal (excluding emergencies).....	571,925	575,425	615,425	+43,500	+40,000	2311
2400	FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES.....	958,800	1,818,400	1,818,400	+859,600	---	2400 M UA
2600	STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT						2600
2650	SERVICE OPERATIONS						2650
2700	Unemployment Compensation (UI):						2700
2750	State Operations.....	2,822,145	3,245,645	3,245,645	+423,500	---	2750
2850	National Activities.....	11,310	11,310	11,310	---	---	2850
2950	Subtotal, Unemployment Compensation.....	2,833,455	3,256,955	3,256,955	+423,500	---	2950
3100	Employment Service (ES):						3100
3150	Allotments to States:						3150
3200	Federal Funds.....	22,683	22,683	22,683	---	---	3200
3250	Trust Funds.....	680,893	680,893	680,893	---	---	3250
3255	Public Law 111-5 (emergency).....	400,000	---	---	-400,000	---	3255
3300	Subtotal (excluding emergencies).....	703,576	703,576	703,576	---	---	3300
3350	ES National Activities.....	20,869	20,869	20,869	---	---	3350
3400	Subtotal, Employment Service.....	1,124,445	724,445	724,445	-400,000	---	3400
3450	Federal Funds.....	(22,683)	(22,683)	(22,683)	---	---	3450
3500	Trust Funds.....	(701,762)	(701,762)	(701,762)	---	---	3500
3505	Trust Funds (emergency).....	(400,000)	---	---	(-400,000)	---	3505
3507	Subtotal, ES (excluding emergencies).....	724,445	724,445	724,445	---	---	3507
3550	Foreign Labor Certification:						3550
3560	Federal Administration.....	52,821	53,307	53,307	+486	---	3560
3570	Grants to States.....	15,129	15,129	15,129	---	---	3570
3580	Subtotal, Foreign Labor Certification.....	67,950	68,436	68,436	+486	---	3580
3595	One-Stop Career Centers/Labor Market Information.....	51,720	51,720	47,220	-4,500	-4,500	3595
3600	Work Incentives Grants.....	17,295	---	---	-17,295	---	3600
3650	Total, State UI and ES.....	4,094,865	4,101,556	4,097,056	+2,191	-4,500	3650
3700	Federal Funds.....	(91,698)	(74,403)	(69,903)	(-21,795)	(-4,500)	3700
3750	Trust Funds.....	(3,603,167)	(4,027,153)	(4,027,153)	(+423,986)	---	3750
3752	Trust Funds (emergency).....	(400,000)	---	---	(-400,000)	---	3752
3753	Total, State UI and ES (excluding emergencies).....	3,694,865	4,101,556	4,097,056	+402,191	-4,500	3753
3800	ADVANCES TO THE UI AND OTHER TRUST FUNDS 2/.....	422,000	120,000	120,000	-302,000	---	3800 M
3900	PROGRAM ADMINISTRATION						3900
3950	Adult Employment and Training.....	43,250	47,109	46,609	+3,359	-500	3950
3955	Public Law 111-5 (emergency).....	5,875	---	---	-5,875	---	3955
4000	Trust Funds.....	7,811	8,553	8,553	+742	---	4000
4050	Youth Employment and Training.....	10,932	12,558	12,058	+1,126	-500	4050
4100	Employment Security.....	3,669	3,740	3,240	-429	-500	4100
4105	Public Law 111-5 (emergency).....	4,125	---	---	-4,125	---	4105
4150	Trust Funds.....	35,276	39,496	39,496	+4,220	---	4150
4200	Apprenticeship Services.....	21,447	27,784	27,784	+6,337	---	4200
4250	Executive Direction.....	6,025	6,575	6,575	+550	---	4250
4300	Trust Funds.....	2,053	2,091	2,091	+38	---	4300
4400	Total, Program Administration.....	140,463	147,906	146,406	+5,943	-1,500	4400
4451	Federal Funds.....	(85,323)	(97,766)	(96,266)	(+10,943)	(-1,500)	4451
4455	Federal Funds (emergency).....	(10,000)	---	---	(-10,000)	---	4455
4500	Trust Funds.....	(45,140)	(50,140)	(50,140)	(+5,000)	---	4500
4505	Total, Program Admin. (excluding emergencies).....	130,463	147,906	146,406	+15,943	-1,500	4505
4550	Total, Employment and Training Admin. (ETA).....	13,884,501	10,596,850	10,600,248	-3,284,253	+3,398	4550
4600	Federal Funds.....	9,836,194	6,519,557	6,522,955	-3,313,239	+3,398	4600
4650	Current Year.....	(3,984,194)	(4,747,557)	(4,750,955)	(+766,761)	(+3,398)	4650
4655	Current Year (emergency).....	(4,080,000)	---	---	(-4,080,000)	---	4655
4700	FY 2011.....	(1,772,000)	(1,772,000)	(1,772,000)	---	---	4700
4750	Trust Funds.....	3,648,307	4,077,293	4,077,293	+428,986	---	4750
4755	Trust Funds (emergency).....	400,000	---	---	-400,000	---	4755
4757	Total, ETA (excluding emergencies).....	9,404,501	10,596,850	10,600,248	+1,195,747	+3,398	4757

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----					
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
4800	EMPLOYEE BENEFITS SECURITY ADMINISTRATION						4800
4805	SALARIES AND EXPENSES						4805
4850	Enforcement and Participant Assistance	119,691	130,398	128,398	+8,707	-2,000	4850
4855	Public Law 111-5 (emergency).....	9,705	---	---	-9,705	---	4855
4900	Policy and Compliance Assistance.....	18,198	18,994	18,994	+796	---	4900
4950	Executive Leadership, Program Oversight and Admin.....	5,530	6,668	6,668	+1,138	---	4950
5005	Total, EBSA (excluding emergencies).....	143,419	156,060	154,060	+10,641	-2,000	5005
5050	PENSION BENEFIT GUARANTY CORPORATION (PBGC)						5050
5060	Pension insurance activities.....	(70,590)	(86,412)	(86,412)	(+15,822)	---	5060
5070	Pension plan termination.....	(232,337)	(234,005)	(234,005)	(+1,668)	---	5070
5080	Operational support.....	(141,795)	(143,650)	(143,650)	(+1,855)	---	5080
5250	Total, PBGC (program level).....	(444,722)	(464,067)	(464,067)	(+19,345)	---	5250
5300	EMPLOYMENT STANDARDS ADMINISTRATION (ESA)						5300
5350	SALARIES AND EXPENSES						5350
5400	Enforcement of Wage and Hour Standards.....	193,092	227,656	220,156	+27,064	-7,500	5400
5405	Public Law 111-5 (emergency).....	21,987	---	---	-21,987	---	5405
5450	Office of Labor-Management Standards.....	44,938	40,557	40,557	-4,381	---	5450
5455	Public Law 111-5 (emergency).....	581	---	---	-581	---	5455
5500	Federal Contractor EEO Standards Enforcement.....	82,107	109,521	101,521	+19,414	-8,000	5500
5505	Public Law 111-5 (emergency).....	7,200	---	---	-7,200	---	5505
5550	Federal Programs for Workers' Compensation.....	100,809	106,378	105,178	+4,369	-1,200	5550
5650	Trust Funds.....	2,101	2,124	2,124	+23	---	5650
5700	Program Direction and Support.....	17,220	17,220	17,220	---	---	5700
5750	Total, ESA salaries and expenses.....	470,035	503,456	486,756	+16,721	-16,700	5750
5801	Federal Funds.....	(438,166)	(501,332)	(484,632)	(+46,466)	(-16,700)	5801
5805	Federal Funds (emergency).....	(29,768)	---	---	(-29,768)	---	5805
5850	Trust Funds.....	(2,101)	(2,124)	(2,124)	(+23)	---	5850
5855	Total, ESA S&E (excluding emergencies).....	440,267	503,456	486,756	+46,489	-16,700	5855
5900	SPECIAL BENEFITS						5900
5950	Federal employees' compensation benefits.....	160,000	184,000	184,000	+24,000	---	5950 M
6000	Longshore and harbor workers' benefits.....	3,000	3,000	3,000	---	---	6000 M
6050	Total, Special Benefits.....	163,000	187,000	187,000	+24,000	---	6050
6060	SPECIAL BENEFITS FOR DISABLED COAL MINERS						6060
6065	Benefit payments.....	245,000	220,000	220,000	-25,000	---	6065 M
6070	Administration.....	5,130	5,180	5,180	+50	---	6070 M
6075	Subtotal, FY 2009 program level.....	250,130	225,180	225,180	-24,950	---	6075
6080	Less funds advanced in prior year.....	-62,000	-56,000	-56,000	+6,000	---	6080 M
6085	Total, Current Year, FY 2010.....	188,130	169,180	169,180	-18,950	---	6085
6090	New advances, 1st quarter FY 2011.....	56,000	45,000	45,000	-11,000	---	6090 M
6095	Total, Special Benefits for Disabled Coal Miners	244,130	214,180	214,180	-29,950	---	6095
6200	ENERGY EMPLOYEES OCCUPATIONAL ILLNESS						6200
6210	COMPENSATION FUND						6210
6250	Part B Administrative Expenses.....	49,654	51,197	51,197	+1,543	---	6250 M
6350	BLACK LUNG DISABILITY TRUST FUND						6350
6400	Benefit payments and interest on advances.....	2,765,000	241,605	241,605	-2,523,395	---	6400 M
6450	Employment Standards Admin., Salaries and expenses....	32,308	32,720	32,720	+412	---	6450 M
6500	Departmental Management, Salaries and expenses.....	24,694	25,091	25,091	+397	---	6500 M
6550	Departmental Management, Inspector General.....	325	327	327	+2	---	6550 M
6600	Subtotal, Black Lung Disability.....	2,822,327	299,743	299,743	-2,522,584	---	6600
6650	Treasury Department Administrative Costs.....	356	356	356	---	---	6650 M
6700	Total, Black Lung Disability Trust Fund.....	2,822,683	300,099	300,099	-2,522,584	---	6700
6750	Total, Employment Standards Administration (ESA)	3,749,502	1,255,932	1,239,232	-2,510,270	-16,700	6750
6800	Federal Funds.....	3,747,401	1,253,808	1,237,108	-2,510,293	-16,700	6800
6810	Current year.....	(3,661,633)	(1,208,808)	(1,192,108)	(-2,469,525)	(-16,700)	6810
6815	Current Year (emergency)	(29,768)	---	---	(-29,768)	---	6815
6820	FY 2011.....	(56,000)	(45,000)	(45,000)	(-11,000)	---	6820
6850	Trust Funds.....	2,101	2,124	2,124	+23	---	6850
6852	Total, ESA (excluding emergencies).....	3,719,734	1,255,932	1,239,232	-2,480,502	-16,700	6852

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

----- H.R. 3293 vs. -----					
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
6900 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)					6900
6950 SALARIES AND EXPENSES					6950
7000 Safety and Health Standards.....	17,204	19,569	19,569	+2,365	--- 7000
7050 Federal Enforcement.....	197,946	227,149	221,149	+23,203	-6,000 7050
7055 Public Law 111-5 (emergency).....	9,221	---	---	-9,221	--- 7055
7100 State Programs.....	92,593	106,393	103,393	+10,800	-3,000 7100
7105 Public Law 111-5 (emergency).....	3,750	---	---	-3,750	--- 7105
7150 Technical Support.....	22,632	25,920	25,920	+3,288	--- 7150
7200 Compliance Assistance:					7200
7250 Federal Assistance.....	72,659	73,380	73,380	+721	--- 7250
7300 State Consultation Grants.....	54,531	54,798	54,798	+267	--- 7300
7350 Training Grants.....	10,000	10,000	10,000	---	--- 7350
7400 Subtotal, Compliance Assistance.....	137,190	138,178	138,178	+988	--- 7400
7450 Safety and Health Statistics.....	34,128	34,875	34,875	+747	--- 7450
7455 Public Law 111-5 (emergency).....	600	---	---	-600	--- 7455
7500 Executive Direction and Administration.....	11,349	11,536	11,536	+187	--- 7500
7551 Total, OSHA (excluding emergencies).....	513,042	563,620	554,620	+41,578	-9,000 7551
7600 MINE SAFETY AND HEALTH ADMINISTRATION					7600
7650 SALARIES AND EXPENSES					7650
7700 Coal Enforcement.....	154,491	156,662	156,662	+2,171	--- 7700
7750 Metal/Non-Metal Enforcement.....	82,427	85,672	85,172	+2,745	-500 7750
7800 Standards Development.....	3,031	3,081	3,081	+50	--- 7800
7850 Assessments.....	6,134	6,233	6,233	+99	--- 7850
7900 Educational Policy and Development.....	38,605	38,605	38,605	---	--- 7900
7950 Technical Support.....	30,117	30,642	30,642	+525	--- 7950
7975 Program evaluation and information resources (PEIR)...	16,514	16,857	16,857	+343	--- 7975
8000 Program Administration.....	15,684	15,941	15,941	+257	--- 8000
8050 Total, Mine Safety & Health Administration MSHA	347,003	353,693	353,193	+6,190	-500 8050
8070 Total, Worker protection agencies.....	1,496,775	1,576,829	1,548,629	+51,854	-28,200 8070
8080 Federal Funds.....	(1,441,630)	(1,574,705)	(1,546,505)	(+104,875)	(-28,200) 8080
8085 Federal Funds (emergency).....	(53,044)	---	---	(-53,044)	--- 8085
8090 Trust Funds.....	(2,101)	(2,124)	(2,124)	(+23)	--- 8090
8091 Total, Worker protection (excluding emergencies)	1,443,731	1,576,829	1,548,629	+104,898	-28,200 8091
8100 BUREAU OF LABOR STATISTICS					8100
8150 SALARIES AND EXPENSES					8150
8200 Employment and Unemployment Statistics.....	188,206	198,028	198,028	+9,822	--- 8200
8250 Labor Market Information.....	78,264	78,264	78,264	---	--- 8250
8300 Prices and Cost of Living.....	198,464	201,081	201,081	+2,617	--- 8300
8350 Compensation and Working Conditions.....	87,281	88,553	88,553	+1,272	--- 8350
8400 Productivity and Technology.....	11,706	11,904	11,904	+198	--- 8400
8450 Executive Direction and Staff Services.....	33,261	33,793	33,793	+532	--- 8450
8500 Total, Bureau of Labor Statistics.....	597,182	611,623	611,623	+14,441	--- 8500
8550 Federal Funds.....	518,918	533,359	533,359	+14,441	--- 8550
8600 Trust Funds.....	78,264	78,264	78,264	---	--- 8600
8650 OFFICE OF DISABILITY EMPLOYMENT POLICY					8650
8700 SALARIES AND EXPENSES.....	26,679	37,031	37,031	+10,352	--- 8700
8850 DEPARTMENTAL MANAGEMENT					8850
8900 SALARIES AND EXPENSES					8900
8950 Executive Direction.....	25,831	34,125	33,125	+7,294	-1,000 8950
8955 Public Law 111-5 (emergency).....	4,140	---	---	-4,140	--- 8955
9000 Departmental IT Crosscut.....	21,286	21,392	19,892	-1,394	-1,500 9000
9050 Departmental Management Crosscut.....	---	---	---	---	--- 9050
9075 Departmental Program Evaluation.....	---	5,000	5,000	+5,000	--- 9075
9100 Legal Services.....	97,382	117,121	113,621	+16,239	-3,500 9100
9105 Public Law 111-5 (emergency).....	6,665	---	---	-6,665	--- 9105
9150 Trust Funds.....	327	327	327	---	--- 9150
9200 International Labor Affairs.....	86,074	91,419	91,419	+5,345	--- 9200
9250 Administration and Management.....	32,506	33,707	33,707	+1,201	--- 9250
9255 Public Law 111-5 (emergency).....	5,451	---	---	-5,451	--- 9255
9300 Adjudication.....	28,580	29,286	29,286	+726	--- 9300
9350 Women's Bureau.....	10,419	10,604	12,604	+2,185	+2,000 9350
9400 Civil Rights Activities.....	6,535	6,812	6,812	+277	--- 9400

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

			----- H.R. 3293 vs. -----			
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
9450 Chief Financial Officer.....	5,278	5,361	5,361	+83	---	9450
9455 Public Law 111-5 (emergency).....	700	---	---	-700	---	9455
9500 Total, Salaries and expenses.....	331,154	355,154	351,154	+20,000	-4,000	9500
9551 Federal Funds.....	(313,871)	(354,827)	(350,827)	(+36,956)	(-4,000)	9551
9555 Federal Funds (emergency).....	(16,956)	---	---	(-16,956)	---	9555
9560 Trust Funds.....	(327)	(327)	(327)	---	---	9560
9562 Total, S&E (excluding emergencies).....	314,198	355,154	351,154	+36,956	-4,000	9562
9600 OFFICE OF JOB CORPS.....						9600
9610 Administration.....	28,662	29,190	29,190	+528	---	9610
9615 Public Law 111-5 (emergency).....	2,500	---	---	-2,500	---	9615
9620 Operations.....	949,276	966,199	985,130	+35,854	+18,931	9620 FF
9622 Public Law 111-5 (emergency).....	35,854	---	---	-35,854	---	9622
9630 Advance from prior year.....	(591,000)	(591,000)	(591,000)	---	---	9630
9640 FY 2011.....	591,000	591,000	591,000	---	---	9640
9650 Construction and Renovation.....	15,000	15,000	---	-15,000	-15,000	9650 FF
9660 Public Law 111-5 (emergency).....	211,646	---	---	-211,646	---	9660
9670 Advance from prior year.....	(100,000)	(100,000)	(100,000)	---	---	9670
9680 FY 2011.....	100,000	100,000	100,000	---	---	9680
9690 Total, Office of Job Corps.....	1,933,938	1,701,389	1,705,320	-228,618	+3,931	9690 UA
9696 Current Year.....	(992,938)	(1,010,389)	(1,014,320)	(+21,382)	(+3,931)	9696 UA
9697 Current Year (emergency).....	(250,000)	---	---	(-250,000)	---	9697 UA
9700 FY 2011.....	(691,000)	(691,000)	(691,000)	---	---	9700 UA
9702 Total, Job Corps (excluding emergencies).....	1,683,938	1,701,389	1,705,320	+21,382	+3,931	9702 UA
9800 VETERANS EMPLOYMENT AND TRAINING.....						9800
9810 State administration, Grants.....	168,894	172,394	172,394	+3,500	---	9810
9820 Federal Administration.....	34,625	35,313	35,313	+688	---	9820
9830 National Veterans Training Institute.....	1,949	2,449	2,449	+500	---	9830
9840 Homeless Veterans Program.....	26,330	35,330	37,330	+11,000	+2,000	9840
9850 Veterans Workforce Investment Programs.....	7,641	9,641	9,641	+2,000	---	9850 UA FF
10050 Total, Veterans Employment and Training.....	239,439	255,127	257,127	+17,688	+2,000	10050
10100 Federal Funds.....	33,971	44,971	46,971	+13,000	+2,000	10100
10150 Trust Funds.....	205,468	210,156	210,156	+4,688	---	10150
10200 OFFICE OF INSPECTOR GENERAL.....						10200
10250 Program Activities.....	76,326	78,093	78,093	+1,767	---	10250
10255 Public Law 111-5 (emergency).....	6,000	---	---	-6,000	---	10255
10300 Trust Funds.....	5,815	5,921	5,921	+106	---	10300
10400 Total, Office of the Inspector General.....	88,141	84,014	84,014	-4,127	---	10400
10401 Total, OIG (excluding emergencies).....	82,141	84,014	84,014	+1,873	---	10401
10550 Total, Departmental Management.....	2,592,672	2,395,684	2,397,615	-195,057	+1,931	10550
10600 Federal Funds.....	2,381,062	2,179,280	2,181,211	-199,851	+1,931	10600
10610 Current Year.....	(1,417,106)	(1,488,280)	(1,490,211)	(+73,105)	(+1,931)	10610
10615 Current Year (emergency).....	(272,956)	---	---	(-272,956)	---	10615
10620 FY 2011.....	(691,000)	(691,000)	(691,000)	---	---	10620
10650 Trust Funds.....	211,610	216,404	216,404	+4,794	---	10650
10655 Total, Departmental Mgmt (excluding emergencies).....	2,319,716	2,395,684	2,397,615	+77,899	+1,931	10655
10685 Total, Workforce Investment Act programs.....	9,513,649	5,543,593	5,516,922	-3,996,727	-26,671	10685
10690 Current Year.....	(7,050,649)	(3,080,593)	(3,053,922)	(-3,996,727)	(-26,671)	10690
10695 FY 2011.....	(2,463,000)	(2,463,000)	(2,463,000)	---	---	10695
10697 Total, Workforce Investment(excl. emergencies).....	5,313,649	5,543,593	5,516,922	+203,273	-26,671	10697
10700 Total, Title I, Department of Labor.....	21,877,276	15,970,493	15,947,622	-5,929,654	-22,871	10700
10750 Federal Funds.....	17,536,994	11,596,408	11,573,537	-5,963,457	-22,871	10750
10800 Current Year.....	(10,211,994)	(9,088,408)	(9,065,537)	(-1,146,457)	(-22,871)	10800
10805 Current Year (emergency).....	(4,406,000)	---	---	(-4,406,000)	---	10805
10850 FY 2011.....	(2,519,000)	(2,508,000)	(2,508,000)	(-11,000)	---	10850
10900 Trust Funds.....	3,940,282	4,374,085	4,374,085	+433,803	---	10900
10905 Trust Funds (emergency).....	400,000	---	---	-400,000	---	10905
10907 Total, Title I (excluding emergencies).....	17,071,276	15,970,493	15,947,622	-1,123,654	-22,871	10907
10920 Title I Footnotes:						10920
10937 1/ Formerly Community-based Job Training Grants.						10937
10942 2/ Two year availability						10942

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----					
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
10950	TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES						10950
11000	HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA)						11000
11050	HEALTH RESOURCES AND SERVICES						11050
11060	Bureau of Primary Health Care						11060
11100	Community health centers.....	2,190,022	2,190,022	2,190,022	---	---	11100
11105	Public Law 111-5 (emergency).....	2,000,000	---	---	-2,000,000	---	11105
11110	State health access grants.....	75,000	75,000	75,000	---	---	11110
11125	Free Clinics Medical Malpractice.....	40	40	40	---	---	11125
11134	National Hansen's Disease Program.....	16,109	16,109	16,109	---	---	11134
11136	Buildings and Facilities.....	129	129	129	---	---	11136
11138	Payment to Hawaii, treatment of Hansen's.....	1,976	1,976	1,976	---	---	11138
11142	Subtotal (excluding emergencies).....	2,283,276	2,283,276	2,283,276	---	---	11142
11149	Bureau of Health Professions						11149
11150	National Health Service Corps:						11150
11200	Field placements.....	39,736	46,412	39,736	---	-6,676	11200
11205	Public Law 111-5 (emergency).....	60,000	---	---	-60,000	---	11205
11250	Recruitment.....	95,230	122,588	102,114	+6,884	-20,474	11250
11255	Public Law 111-5 (emergency).....	240,000	---	---	-240,000	---	11255
11300	Subtotal (excluding emergencies).....	134,966	169,000	141,850	+6,884	-27,150	11300
11350	Health Professions						11350
11355	Health Professions (Public Law 111-5) (emergency).....	200,000	---	---	-200,000	---	11355
11400	Health Professions, Training for Diversity:						11400
11450	Centers of excellence.....	20,602	24,602	24,602	+4,000	---	11450
11500	Health careers opportunity program.....	19,133	22,133	22,133	+3,000	---	11500
11550	Faculty loan repayment.....	1,266	1,266	1,266	---	---	11550
11600	Scholarships for disadvantaged students.....	45,842	52,842	52,842	+7,000	---	11600
11650	Subtotal, Training for Diversity.....	86,843	100,843	100,843	+14,000	---	11650
11700	Training in Primary Care Medicine and Dentistry.....	48,425	56,425	56,425	+8,000	---	11700
11750	Interdisciplinary Community-Based Linkages:						11750
11800	Area health education centers.....	32,540	32,540	34,150	+1,610	+1,610	11800
11900	Allied health and other disciplines.....	13,890	23,890	23,890	+10,000	---	11900
11950	Geriatric programs.....	30,997	41,997	41,997	+11,000	---	11950
12050	Subtotal, Interdisciplinary Community Linkages..	77,427	98,427	100,037	+22,610	+1,610	12050
12200	Public health, preventive medicine and dental programs	9,000	9,000	9,000	---	---	12200
12207	Subtotal, Public Health, preventive medicine....	9,000	9,000	9,000	---	---	12207
12399	Nursing Programs:						12399
12400	Advanced Education Nursing.....	64,438	64,438	64,438	---	---	12400
12450	Nurse education, practice, and retention.....	37,291	37,291	37,291	---	---	12450
12500	Nursing workforce diversity.....	16,107	16,107	16,107	---	---	12500
12505	Loan repayment and scholarship program.....	37,128	125,000	125,000	+87,872	---	12505
12515	Comprehensive geriatric education.....	4,567	4,567	4,567	---	---	12515
12520	Nursing faculty loan program.....	11,500	16,000	16,000	+4,500	---	12520
12525	Subtotal, Nursing programs.....	171,031	263,403	263,403	+92,372	---	12525
12550	Subtotal, Health Professions.....	592,726	528,098	529,708	-63,018	+1,610	12550 UA
12555	Subtotal, Health Professions (excl. emergencies)	392,726	528,098	529,708	+136,982	+1,610	12555 UA
12600	Children's Hospitals Graduate Medical Education.....	310,000	310,000	320,000	+10,000	+10,000	12600
12605	Patient Navigator.....	4,000	4,000	4,000	---	---	12605
12610	National Practitioner Data Bank.....	19,750	19,750	19,750	---	---	12610
12615	User Fees.....	-19,750	-19,750	-19,750	---	---	12615
12620	Health Care Integrity and Protection Data Bank.....	3,758	3,758	3,758	---	---	12620
12625	User Fees.....	-3,758	-3,758	-3,758	---	---	12625
12630	Subtotal, Bureau of Health Professions (BHP)....	1,341,692	1,011,098	995,558	-346,134	-15,540	12630
12631	Subtotal, BHP (excluding emergencies).....	841,692	1,011,098	995,558	+153,866	-15,540	12631

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

----- H.R. 3293 vs. -----					
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
12745 Maternal and Child Health Bureau					12745
12750 Maternal and Child Health Block Grant.....	662,121	662,121	665,000	+2,879	+2,879 12750
12775 Sickle cell anemia demonstration program.....	4,250	4,250	5,250	+1,000	+1,000 12775 UA
12800 Traumatic Brain Injury.....	9,877	9,877	10,000	+123	+123 12800 UA
12810 Autism and other developmental disorders.....	42,000	48,000	48,000	+6,000	--- 12810
12815 Heritable disorders.....	10,013	10,013	10,013	---	--- 12815
12820 Congenital disabilities.....	1,000	1,000	---	-1,000	-1,000 12820
12950 Healthy Start.....	102,372	102,372	105,000	+2,628	+2,628 12950
13000 Universal Newborn Hearing.....	19,000	19,000	19,000	---	--- 13000 UA
13005 Emergency medical services for children.....	20,000	20,000	20,000	---	--- 13005 UA
13015 Subtotal, Maternal and Child Health Bureau.....	870,633	876,633	882,263	+11,630	+5,630 13015
13020 HIV/AIDS Bureau					13020
13025 Ryan White AIDS Programs:					13025
13030 Emergency Assistance.....	663,082	671,075	679,074	+15,992	+7,999 13030
13035 Comprehensive Care Programs.....	1,223,791	1,253,791	1,253,791	+30,000	--- 13035
13040 AIDS Drug Assistance Program (ADAP) (NA).....	(815,000)	(835,000)	(835,000)	(+20,000)	--- 13040
13045 Early Intervention Program.....	201,877	211,877	206,823	+4,946	-5,054 13045
13050 Children, Youth, Women, and Families.....	76,845	76,845	78,728	+1,883	+1,883 13050
13055 AIDS Dental Services.....	13,429	15,429	13,758	+329	-1,671 13055
13060 Education and Training Centers.....	34,397	38,397	35,240	+843	-3,157 13060
13065 Subtotal, Ryan White AIDS programs.....	2,213,421	2,267,414	2,267,414	+53,993	--- 13065 UA
13070 Evaluation Tap Funding (NA).....	(25,000)	(25,000)	(25,000)	---	--- 13070
13075 Subtotal, Ryan White AIDS program level.....	(2,238,421)	(2,292,414)	(2,292,414)	(+53,993)	--- 13075
13110 Subtotal, HIV/AIDS Bureau.....	2,213,421	2,267,414	2,267,414	+53,993	--- 13110
13200 Healthcare Systems Bureau					13200
13205 Organ Transplantation.....	24,049	24,049	24,049	---	--- 13205 UA
13210 National Cord Blood Inventory.....	11,983	11,983	11,983	---	--- 13210
13215 Bone Marrow Program.....	23,517	23,517	23,517	---	--- 13215
13220 Office of Pharmacy Affairs.....	1,470	2,970	1,470	---	-1,500 13220
13225 Poison control.....	28,314	28,314	28,314	---	--- 13225
13230 Subtotal, Healthcare systems bureau.....	89,333	90,833	89,333	---	-1,500 13230
13300 Rural Health Programs					13300
13305 Rural outreach grants.....	53,900	55,450	56,600	+2,700	+1,150 13305 UA
13310 Rural Health Research.....	9,700	9,700	10,200	+500	+500 13310
13315 Rural Hospital Flexibility Grants.....	39,200	39,200	41,200	+2,000	+2,000 13315 UA
13318 Delta Health Initiative.....	26,000	---	---	-26,000	--- 13318
13320 Rural and community access to emergency devices.....	1,751	1,751	3,300	+1,549	+1,549 13320 UA
13330 State Offices of Rural Health.....	9,201	9,450	9,700	+499	+250 13330 UA
13332 Black lung clinics 2/.....	7,200	7,200	7,200	---	--- 13332 UA
13333 Radiation Exposure Screening and Education Program 2/.....	1,952	1,952	1,952	---	--- 13333 UA
13340 Subtotal, Rural health programs.....	148,904	124,703	130,152	-18,752	+5,449 13340
13345 Denali Commission.....	19,642	---	---	-19,642	--- 13345 UA
14300 Family Planning.....	307,491	317,491	317,491	+10,000	--- 14300 UA
14350 Health care-related facilities and activities.....	310,470	---	179,330	-131,140	+179,330 14350 UA
14450 Telehealth.....	7,550	8,200	15,000	+7,450	+6,800 14450 UA
14850 Program management.....	142,024	147,052	146,000	+3,976	-1,052 14850
14900 Total, Health resources and services (HRSA).....	9,734,436	7,126,700	7,305,817	-2,428,619	+179,117 14900
14901 Total, HRSA (excluding emergencies).....	7,234,436	7,126,700	7,305,817	+71,381	+179,117 14901
14910 Total, Health resources & services program level	(9,759,436)	(7,151,700)	(7,330,817)	(-2,428,619)	(+179,117) 14910
14915 Total, Evaluation tap funding.....	(25,000)	(25,000)	(25,000)	---	--- 14915
14917 Total, HRSA program level (excl. emergencies)...	(7,259,436)	(7,151,700)	(7,330,817)	(+71,381)	(+179,117) 14917
15050 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT					15050
15100 HEAL Liquidating account.....	(1,000)	(1,000)	(1,000)	---	--- 15100
15150 HEAL Program management.....	2,847	2,847	2,847	---	--- 15150
15200 Total, HEAL.....	2,847	2,847	2,847	---	--- 15200

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----					
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
15250	VACCINE INJURY COMPENSATION PROGRAM TRUST FUND						15250
15300	Post-FY 1988 claims.....	113,115	115,908	115,908	+2,793	---	15300 M
15350	HRSA administration.....	5,404	6,502	6,502	+1,098	---	15350
15400	Total, Vaccine Injury Compensation Trust Fund...	118,519	122,410	122,410	+3,891	---	15400
15410	Covered Countermeasure Process Fund.....	---	5,000	---	---	-5,000	15410
15450	Total, Health Resources & Services Administration	9,855,802	7,256,957	7,431,074	-2,424,728	+174,117	15450
15475	Total, HRSA program level.....	(9,881,802)	(7,277,957)	(7,457,074)	(-2,424,728)	(+179,117)	15475
15477	Total, HRSA (excluding emergencies).....	7,355,802	7,256,957	7,431,074	+75,272	+174,117	15477
15479	Total, HRSA program level (excl. emergencies)....	(7,381,802)	(7,277,957)	(7,457,074)	(+75,272)	(+179,117)	15479
15500	CENTERS FOR DISEASE CONTROL AND PREVENTION						15500
15505	DISEASE CONTROL, RESEARCH, AND TRAINING						15505
15510	Infectious Diseases						15510
15520	Immunization and respiratory diseases.....	703,254	704,596	704,596	+1,342	---	15520 UA
15522	Public Law 111-5 (emergency).....	300,000	---	---	-300,000	---	15522 UA
15525	Evaluation Tap Funding.....	(12,794)	(12,864)	(12,864)	(+70)	---	15525
15530	Subtotal (excluding emergencies).....	(716,048)	(717,460)	(717,460)	(+1,412)	---	15530
15540	HIV/AIDS, Viral hepatitis, STD, and TB prevention.....	1,006,375	1,060,299	1,062,082	+55,707	+1,783	15540 UA
15550	Zoonotic, Vector-Borne, and Enteric diseases.....	67,978	73,122	76,790	+8,812	+3,668	15550
15559	Preparedness, detection, and control of infectious						15559
15560	diseases.....	157,426	168,741	173,791	+16,365	+5,050	15560 UA
15565	Public Law 111-5 (emergency).....	40,000	---	---	-40,000	---	15565
15570	Subtotal (excluding emergencies).....	1,935,033	2,008,758	2,017,259	+82,226	+10,501	15570
15575	Total, Evaluation tap funding.....	(12,794)	(12,864)	(12,864)	(+70)	---	15575
15580	Subtotal, Infectious diseases program level.....	(2,287,827)	(2,019,622)	(2,030,123)	(-257,704)	(+10,501)	15580
15581	Subtotal, program level (excluding emergencies)	(1,947,827)	(2,019,622)	(2,030,123)	(+82,296)	(+10,501)	15581
15650	Health Promotion						15650
15654	Chronic disease prevention, health promotion						15654
15655	and genomics.....	881,686	896,239	910,812	+29,126	+14,573	15655
15659	Birth defects, developmental disabilities, disability						15659
15660	and health.....	138,022	142,016	140,882	+2,860	-1,134	15660
15665	Subtotal, Health promotion.....	1,019,708	1,038,255	1,051,694	+31,986	+13,439	15665 UA
15700	Health Information and Service						15700
15705	Health statistics.....	---	---	---	---	---	15705 UA
15710	Evaluation Tap Funding.....	(124,701)	(138,683)	(138,683)	(+13,982)	---	15710
15715	Subtotal, Health statistics program level.....	(124,701)	(138,683)	(138,683)	(+13,982)	---	15715
15720	Public health informatics/Health marketing.....	83,124	96,690	58,679	-24,445	-38,011	15720
15725	Evaluation Tap Funding.....	(71,531)	(56,411)	(94,422)	(+22,891)	(+38,011)	15725
15729	Subtotal, Public health informatics/health						15729
15730	marketing, program level.....	(154,655)	(153,101)	(153,101)	(-1,554)	---	15730
15750	Subtotal, Health information and service.....	83,124	96,690	58,679	-24,445	-38,011	15750
15755	Total, Evaluation tap funding.....	(196,232)	(195,094)	(233,105)	(+36,873)	(+38,011)	15755
15760	Subtotal, Health information & service program..	(279,356)	(291,784)	(291,784)	(+12,428)	---	15760
15765	Environmental Health and Injury						15765
15770	Environmental health.....	185,415	186,401	191,023	+5,608	+4,622	15770
15775	Injury prevention and control.....	145,242	148,615	148,615	+3,373	---	15775
15780	Subtotal, Environmental health and injury.....	(330,657)	(335,016)	(339,638)	(+8,981)	(+4,622)	15780 UA
15800	National Institute for Occupational Safety & Health 1/	268,834	276,664	277,617	+8,783	+953	15800
15810	Evaluation Tap Funding.....	(91,225)	(91,724)	(91,724)	(+499)	---	15810
15815	Subtotal, Occupational Safety & health program1/	(360,059)	(368,388)	(369,341)	(+9,282)	(+953)	15815
15839	Energy employees occupational illness						15839
15840	compensation program.....	55,358	55,358	55,358	---	---	15840 M

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

			----- H.R. 3293 vs. -----		
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
15850 Global health.....	308,824	319,134	323,134	+14,310	+4,000
15870 Terrorism preparedness and response	1,514,657	1,546,809	1,546,809	+32,152	---
15900 Public health research.....	---	---	---	---	---
15910 Evaluation Tap Funding.....	(31,000)	(31,170)	(31,170)	(+170)	---
15950 Public health improvement and leadership.....	209,136	188,586	199,093	-10,043	+10,507
16000 Preventive health and health services block grant.....	102,000	102,034	102,034	+34	---
16050 Buildings and facilities.....	151,500	30,000	30,000	-121,500	---
16150 Business services.....	359,877	372,662	367,075	+7,198	-5,587
=====					
16400 Total, Centers for Disease Control.....	6,678,708	6,367,966	6,368,390	-310,318	+424
16410 Discretionary	6,283,350	6,312,608	6,313,032	+29,682	+424
16412 Discretionary (emergency).....	340,000	---	---	-340,000	---
16420 Evaluation Tap Funding (NA).....	(331,251)	(330,852)	(368,863)	(+37,612)	(+38,011)
16422 Total, CDC (excluding emergencies).....	6,338,708	6,367,966	6,368,390	+29,682	+424
16425 Total, Centers for Disease Control program level.....	(7,009,959)	(6,698,818)	(6,737,253)	(-272,706)	(+38,435)
16430 Discretionary.....	(6,954,601)	(6,643,460)	(6,681,895)	(-272,706)	(+38,435)
16435 Total, program level (excluding emergencies).....	(6,669,959)	(6,698,818)	(6,737,253)	(+67,294)	(+38,435)
16437 Discretionary (excluding emergencies).....	(6,614,601)	(6,643,460)	(6,681,895)	(+67,294)	(+38,435)
16550 NATIONAL INSTITUTES OF HEALTH.....					
16600 National Cancer Institute.....	4,968,973	5,150,170	5,150,170	+181,197	---
16602 Public Law 111-5 (emergency).....	1,256,517	---	---	-1,256,517	---
16604 Subtotal.....	6,225,490	5,150,170	5,150,170	-1,075,320	---
16650 National Heart, Lung, and Blood Institute.....	3,015,689	3,050,356	3,123,403	+107,714	+73,047
16652 Public Law 111-5 (emergency).....	762,584	---	---	-762,584	---
16654 Subtotal.....	3,778,273	3,050,356	3,123,403	-654,870	+73,047
16700 National Institute of Dental & Craniofacial Research..	402,652	408,037	417,032	+14,380	+8,995
16702 Public Law 111-5 (emergency).....	101,819	---	---	-101,819	---
16704 Subtotal.....	504,471	408,037	417,032	-87,439	+8,995
16740 National Institute of Diabetes and Digestive and					
16750 Kidney Diseases (NIDDK).....	1,761,338	1,781,494	1,824,251	+62,913	+42,757
16752 Public Law 111-5 (emergency).....	445,393	---	---	-445,393	---
16775 Juvenile diabetes (mandatory).....	(150,000)	(150,000)	(150,000)	---	---
16780 Subtotal, NIDDK program level.....	2,356,731	1,931,494	1,974,251	-382,480	+42,757
16800 National Institute of Neurological Disorders & Stroke.	1,593,344	1,612,745	1,650,253	+56,909	+37,508
16802 Public Law 111-5 (emergency).....	402,912	---	---	-402,912	---
16804 Subtotal.....	1,996,256	1,612,745	1,650,253	-346,003	+37,508
16850 National Institute of Allergy and Infectious Diseases.	4,402,572	4,460,295	4,559,502	+156,930	+99,207
16852 Public Law 111-5 (emergency).....	1,113,288	---	---	-1,113,288	---
16900 Global HIV/AIDS Fund Transfer.....	300,000	300,000	300,000	---	---
16950 Subtotal, NIAID program level.....	5,815,860	4,760,295	4,859,502	-956,358	+99,207
17000 National Institute of General Medical Sciences.....	1,997,801	2,023,677	2,069,156	+71,355	+45,479
17002 Public Law 111-5 (emergency).....	505,188	---	---	-505,188	---
17004 Subtotal.....	2,502,989	2,023,677	2,069,156	-433,833	+45,479
17050 National Institute of Child Health & Human Development	1,294,894	1,313,674	1,341,120	+46,226	+27,446
17052 Public Law 111-5 (emergency).....	327,443	---	---	-327,443	---
17054 Subtotal.....	1,622,337	1,313,674	1,341,120	-281,217	+27,446
17100 National Eye Institute.....	688,480	695,789	713,072	+24,592	+17,283
17102 Public Law 111-5 (emergency).....	174,097	---	---	-174,097	---
17104 Subtotal.....	862,577	695,789	713,072	-149,505	+17,283
17150 National Institute of Environmental Health Sciences...	662,820	684,257	695,497	+32,677	+11,240
17152 Public Law 111-5 (emergency).....	187,354	---	---	-187,354	---
17154 Subtotal.....	850,174	684,257	695,497	-154,677	+11,240
17250 National Institute on Aging.....	1,080,796	1,093,143	1,119,404	+38,608	+26,261
17252 Public Law 111-5 (emergency).....	273,303	---	---	-273,303	---
17254 Subtotal.....	1,354,099	1,093,143	1,119,404	-234,695	+26,261

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LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----				
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
17300	National Institute of Arthritis and Musculoskeletal					17300
17350	and Skin Diseases.....	524,872	530,825	543,621	+18,749	+12,796 17350
17352	Public Law 111-5 (emergency).....	132,726	---	---	-132,726	--- 17352
17354	Subtotal.....	657,598	530,825	543,621	-113,977	+12,796 17354
17400	National Institute on Deafness and Other Communication					17400
17450	Disorders.....	407,259	413,026	422,308	+15,049	+9,282 17450
17452	Public Law 111-5 (emergency).....	102,984	---	---	-102,984	--- 17452
17454	Subtotal.....	510,243	413,026	422,308	-87,935	+9,282 17454
17500	National Institute of Nursing Research.....	141,879	143,749	146,945	+5,066	+3,196 17500
17502	Public Law 111-5 (emergency).....	35,877	---	---	-35,877	--- 17502
17504	Subtotal.....	177,756	143,749	146,945	-30,811	+3,196 17504
17550	National Institute on Alcohol Abuse and Alcoholism....	450,230	455,149	466,308	+16,078	+11,159 17550
17552	Public Law 111-5 (emergency).....	113,851	---	---	-113,851	--- 17552
17554	Subtotal.....	564,081	455,149	466,308	-97,773	+11,159 17554
17600	National Institute on Drug Abuse.....	1,032,759	1,045,384	1,069,583	+36,824	+24,199 17600
17602	Public Law 111-5 (emergency).....	261,156	---	---	-261,156	--- 17602
17604	Subtotal.....	1,293,915	1,045,384	1,069,583	-224,332	+24,199 17604
17650	National Institute of Mental Health.....	1,450,491	1,474,676	1,502,266	+51,775	+27,590 17650
17652	Public Law 111-5 (emergency).....	366,789	---	---	-366,789	--- 17652
17654	Subtotal.....	1,817,280	1,474,676	1,502,266	-315,014	+27,590 17654
17700	National Human Genome Research Institute.....	502,367	509,594	520,311	+17,944	+10,717 17700
17702	Public Law 111-5 (emergency).....	127,035	---	---	-127,035	--- 17702
17704	Subtotal.....	629,402	509,594	520,311	-109,091	+10,717 17704
17750	National Institute of Biomedical Imaging and					17750
17800	Bioengineering.....	308,208	312,687	319,217	+11,009	+6,530 17800
17802	Public Law 111-5 (emergency).....	77,937	---	---	-77,937	--- 17802
17804	Subtotal.....	386,145	312,687	319,217	-66,928	+6,530 17804
17850	National Center for Research Resources.....	1,226,263	1,252,044	1,280,031	+53,768	+27,987 17850
17852	Public Law 111-5 (emergency).....	1,610,088	---	---	-1,610,088	--- 17852
17854	Subtotal.....	2,836,351	1,252,044	1,280,031	-1,556,320	+27,987 17854
17900	National Center for Complementary and Alternative					17900
17950	Medicine.....	125,471	127,241	129,953	+4,482	+2,712 17950
17952	Public Law 111-5 (emergency).....	31,728	---	---	-31,728	--- 17952
17954	Subtotal.....	157,199	127,241	129,953	-27,246	+2,712 17954
18000	National Center on Minority Health and Health					18000
18050	Disparities.....	205,959	208,844	213,316	+7,357	+4,472 18050
18052	Public Law 111-5 (emergency).....	52,081	---	---	-52,081	--- 18052
18054	Subtotal.....	258,040	208,844	213,316	-44,724	+4,472 18054
18100	John E. Fogarty International Center.....	68,691	69,227	70,780	+2,089	+1,553 18100
18102	Public Law 111-5 (emergency).....	17,370	---	---	-17,370	--- 18102
18104	Subtotal.....	86,061	69,227	70,780	-15,281	+1,553 18104
18150	National Library of Medicine (NLM).....	330,771	334,347	342,585	+11,814	+8,238 18150
18152	Public Law 111-5 (emergency).....	83,643	---	---	-83,643	--- 18152
18155	Evaluation Tap Funding.....	(8,200)	(8,200)	(8,200)	---	--- 18155
18157	Subtotal.....	422,614	342,547	350,785	-71,829	+8,238 18157

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

			----- H.R. 3293 vs. -----			
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
18200 Office of the Director	1,246,864	1,182,777	1,168,704	-78,160	-14,073	18200
18202 Public Law 111-5 (emergency).....	1,336,837	---	---	-1,336,837	---	18202
18205 Common fund.....	(541,133)	(549,066)	(534,066)	(-7,067)	(-15,000)	18205
18210 Public Law 111-5 (emergency).....	(136,837)	---	---	(-136,837)	---	18210
18217 Subtotal.....	2,583,701	1,182,777	1,168,704	-1,414,997	-14,073	18217
18218 Subtotal, Common Fund.....	(677,970)	(549,066)	(534,066)	(-143,904)	(-15,000)	18218
18250 Buildings and Facilities.....	125,581	125,581	100,000	-25,581	-25,581	18250
18255 Public Law 111-5 (emergency).....	500,000	---	---	-500,000	---	18255
18260 Subtotal.....	625,581	125,581	100,000	-525,581	-25,581	18260
18400 Total, National Institutes of Health (NIH).....	40,717,024	30,758,788	31,258,788	-9,458,236	+500,000	18400 UA
18450 Global HIV/AIDS Fund Transfer.....	-300,000	-300,000	-300,000	---	---	18450
18455 Emergency appropriations	(10,400,000)	---	---	(-10,400,000)	---	18455
18480 Evaluation Tap Funding.....	(8,200)	(8,200)	(8,200)	---	---	18480
18485 Total, NIH (excluding emergencies).....	30,317,024	30,758,788	31,258,788	+941,764	+500,000	18485
18500 Total, NIH Program Level.....	(40,425,224)	(30,466,988)	(30,966,988)	(-9,458,236)	(+500,000)	18500
18507 Total, NIH Program Level (excluding emergencies).....	(30,325,224)	(30,766,988)	(31,266,988)	(+941,764)	(+500,000)	18507
18600 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES						18600
18601 ADMINISTRATION (SAMHSA)						18601
18620 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES						18620
18650 Mental Health:						18650
18700 Programs of Regional and National Significance....	344,438	335,802	357,165	+12,727	+21,363	18700
18750 Mental Health block grant.....	399,735	399,735	399,735	---	---	18750
18775 Evaluation Tap Funding.....	(21,039)	(21,039)	(21,039)	---	---	18775
18780 Subtotal, Program level.....	(420,774)	(420,774)	(420,774)	---	---	18780
18800 Children's Mental Health.....	108,373	125,316	125,316	+16,943	---	18800
18850 Grants to States for the Homeless (PATH).....	59,687	68,047	68,047	+8,360	---	18850
18900 Protection and Advocacy.....	35,880	35,880	36,880	+1,000	+1,000	18900
18950 Subtotal, Mental Health.....	948,113	964,780	987,143	+39,030	+22,363	18950
18955 Subtotal, Mental health program level.....	(969,152)	(985,819)	(1,008,182)	(+39,030)	(+22,363)	18955
19000 Substance Abuse Treatment:						19000
19050 Programs of Regional and National Significance....	405,746	451,460	452,903	+47,157	+1,443	19050
19075 Evaluation Tap Funding.....	(8,596)	(8,596)	(8,596)	---	---	19075
19080 Subtotal, Program level.....	(414,342)	(460,056)	(461,499)	(+47,157)	(+1,443)	19080
19100 Substance Abuse block grant.....	1,699,391	1,699,391	1,699,391	---	---	19100
19125 Evaluation Tap Funding.....	(79,200)	(79,200)	(79,200)	---	---	19125
19130 Subtotal, Program level.....	(1,778,591)	(1,778,591)	(1,778,591)	---	---	19130
19150 Subtotal, Substance Abuse Treatment.....	2,105,137	2,150,851	2,152,294	+47,157	+1,443	19150
19155 Subtotal, Program level.....	(2,192,933)	(2,238,647)	(2,240,090)	(+47,157)	(+1,443)	19155
19200 Substance Abuse Prevention:						19200
19250 Programs of Regional and National Significance....	201,003	198,259	200,009	-994	+1,750	19250
19350 Program Management.....	77,381	79,197	79,197	+1,816	---	19350
19352 Evaluation Tap funding (NA).....	(22,750)	(22,750)	(22,750)	---	---	19352
19353 Subtotal, Program level.....	100,131	101,947	101,947	+1,816	---	19353
19380 St. Elizabeth's Hospital--Environmental remediation...	772	795	795	+23	---	19380
19390 Data evaluation.....	2,500	---	---	-2,500	---	19390
19400 Total, SAMHSA.....	3,334,906	3,393,882	3,419,438	+84,532	+25,556	19400 UA
19405 Evaluation Tap funding.....	(131,585)	(131,585)	(131,585)	---	---	19405
19410 Total, SAMHSA program level.....	(3,466,491)	(3,525,467)	(3,551,023)	(+84,532)	(+25,556)	19410

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----					
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
19500	AGENCY FOR HEALTHCARE RESEARCH AND QUALITY (AHRQ)						19500
19510	HEALTHCARE RESEARCH AND QUALITY						19510
19550	Research on Health Costs, Quality, and Outcomes:						19550
19600	Federal Funds.....	---	---	---	---	---	19600
19605	Public Law 111-5 (emergency).....	700,000	---	---	-700,000	---	19605
19650	Evaluation Tap funding (NA).....	(314,053)	(314,053)	(309,053)	(-5,000)	(-5,000)	19650
19700	Patient-Centered Health Research (NA).....	(50,000)	(50,000)	(12,500)	(-37,500)	(-37,500)	19700
19750	Patient Safety Research and Health (NA).....	(93,709)	(93,709)	(98,905)	(+5,196)	(+5,196)	19750
19800	Subtotal, Program level (excl. emergencies)....	(314,053)	(314,053)	(309,053)	(-5,000)	(-5,000)	19800
19850	Medical Expenditures Panel Surveys:						19850
19900	Federal Funds.....	---	---	---	---	---	19900
19950	Evaluation Tap funding (NA).....	(55,300)	(55,300)	(60,300)	(+5,000)	(+5,000)	19950
19960	Subtotal, Medical Expenditures Panel Surveys....	(55,300)	(55,300)	(60,300)	(+5,000)	(+5,000)	19960
20100	Program Support:						20100
20140	Evaluation Tap funding (NA).....	(2,700)	(2,700)	(2,700)	---	---	20140
20290	Total, AHRQ.....	700,000	---	---	-700,000	---	20290 UA
20291	Total, AHRQ (excluding emergencies).....	---	---	---	---	---	20291 UA
20300	Evaluation Tap funding (NA).....	(372,053)	(372,053)	(372,053)	---	---	20300
20310	Total, AHRQ program level.....	(1,072,053)	(372,053)	(372,053)	(-700,000)	---	20310
20311	Total, AHRQ program level (excl. emergencies)....	(372,053)	(372,053)	(372,053)	---	---	20311
20350	Total, Public Health Service (PHS) appropriation	61,286,440	47,777,593	48,477,690	-12,808,750	+700,097	20350
20355	Total, Public Health Service program level.....	(61,855,529)	(48,346,283)	(49,084,391)	(-12,771,138)	(+738,108)	20355
20357	Total, PHS appropriation (excluding emergencies)	47,346,440	47,777,593	48,477,690	+1,131,250	+700,097	20357
20359	Total, PHS program level (excluding emergencies)	(47,915,529)	(48,346,283)	(49,084,391)	(+1,168,862)	(+738,108)	20359
20500	CENTERS FOR MEDICARE AND MEDICAID SERVICES						20500
20550	GRANTS TO STATES FOR MEDICAID						20550
20600	Medicaid current law benefits.....	241,748,640	276,957,508	276,957,508	+35,208,868	---	20600 M
20650	State and local administration.....	12,021,152	12,381,233	12,381,233	+360,081	---	20650 M
20700	Vaccines for Children.....	3,377,911	3,323,770	3,323,770	-54,141	---	20700 M
20750	Subtotal, Medicaid program level.....	257,147,703	292,662,511	292,662,511	+35,514,808	---	20750
20850	Less funds advanced in prior year.....	-67,292,669	-71,700,038	-71,700,038	-4,407,369	---	20850 M
20900	Total, Grants to States for Medicaid.....	189,855,034	220,962,473	220,962,473	+31,107,439	---	20900
20950	New advance, 1st quarter.....	71,700,038	86,789,382	86,789,382	+15,089,344	---	20950 M
21000	PAYMENTS TO HEALTH CARE TRUST FUNDS						21000
21050	Supplemental medical insurance.....	150,077,000	153,060,000	153,060,000	+2,983,000	---	21050 M
21100	Hospital insurance for the uninsured.....	351,000	-414,000	-414,000	-765,000	---	21100 M
21150	Federal uninsured payment.....	263,000	272,000	272,000	+9,000	---	21150 M
21200	Program management.....	281,000	338,070	403,070	+122,070	+65,000	21200 M
21205	General revenue for Part D benefit.....	44,999,000	53,180,000	53,180,000	+8,181,000	---	21205 M
21210	General revenue for Part D administration.....	547,000	484,000	484,000	-63,000	---	21210 M
21220	HCFAC reimbursement.....	198,000	311,000	311,000	+113,000	---	21220 M
21222	Quinquennial adjustment.....	1,028,000	---	---	-1,028,000	---	21222 M
21280	Total, Payments to Trust Funds, program level...	197,744,000	207,231,070	207,296,070	+9,552,070	+65,000	21280
21300	PROGRAM MANAGEMENT						21300
21400	Research, Demonstration, Evaluation.....	30,192	56,978	31,600	+1,408	-25,378	21400
21450	Medicare Operations.....	2,265,715	2,363,862	2,323,862	+58,147	-40,000	21450
21700	State Survey and Certification.....	293,128	346,900	346,900	+53,772	---	21700
21705	Public Law 111-5 (emergency).....	10,000	---	---	-10,000	---	21705
21750	High risk insurance pools.....	75,000	---	65,000	-10,000	+65,000	21750
21800	Federal Administration.....	641,351	697,760	696,000	+54,649	-1,760	21800
21950	Total, Program management, Limitation on new BA.	3,315,386	3,465,500	3,463,362	+147,976	-2,138	21950
22000	Total, program level (excluding emergencies)....	3,315,386	3,465,500	3,463,362	+147,976	-2,138	22000

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
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		----- H.R. 3293 vs. -----				
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
22010	HEALTH CARE FRAUD AND ABUSE CONTROL					22010
22015	Part D drug benefit/medicare advantage (MIP).....	147,038	220,320	220,320	+73,282	22015
22017	HHS Office of Inspector General.....	18,967	29,790	29,790	+10,823	22017
22019	Department of Justice.....	18,967	29,790	29,790	+10,823	22019
22020	Medicaid/SCHIP.....	13,028	31,100	31,100	+18,072	22020
22025	Total, Health Care Fraud and Abuse Control.....	198,000	311,000	311,000	+113,000	22025
22050	Total, Centers for Medicare and Medicaid Services	462,812,458	518,759,425	518,822,287	+56,009,829	22050
22100	Federal funds.....	459,299,072	514,982,925	515,047,925	+55,748,853	22100
22150	Current year.....	(387,599,034)	(428,193,543)	(428,258,543)	(+40,659,509)	22150
22200	New advance, FY 2011.....	(71,700,038)	(86,789,382)	(86,789,382)	(+15,089,344)	22200
22250	Trust Funds.....	3,503,386	3,776,500	3,774,362	+270,876	22250
22251	Trust Funds (emergency).....	10,000	---	---	-10,000	22251
22252	Total, Centers (excluding emergencies).....	462,802,458	518,759,425	518,822,287	+56,019,829	22252
22300	ADMINISTRATION FOR CHILDREN AND FAMILIES					22300
22349	PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND					22349
22350	FAMILY SUPPORT PROGRAMS					22350
22400	Payments to territories.....	33,000	33,000	33,000	---	22400 M
22450	Repatriation.....	1,000	1,000	1,000	---	22450 M
22500	Subtotal, Welfare payments.....	34,000	34,000	34,000	---	22500
22550	Child Support Enforcement:					22550
22600	State and local administration.....	3,768,699	4,023,509	4,023,509	+254,810	22600 M
22650	Federal incentive payments.....	504,000	504,000	504,000	---	22650 M
22750	Access and visitation.....	10,000	10,000	10,000	---	22750 M
22800	Subtotal, Child Support Enforcement.....	4,282,699	4,537,509	4,537,509	+254,810	22800
22850	Total, Family support payments program level....	4,316,699	4,571,509	4,571,509	+254,810	22850
22900	Less funds advanced in previous years.....	-1,000,000	-1,000,000	-1,000,000	---	22900 M
22950	Total, Family support payments, current year....	3,316,699	3,571,509	3,571,509	+254,810	22950
23000	New advance, 1st quarter, FY 2011.....	1,000,000	1,100,000	1,100,000	+100,000	23000 M
23020	LOW-INCOME HOME ENERGY ASSISTANCE (LIHEAP)					23020
23050	Formula grants.....	---	2,410,000	4,509,672	+4,509,672	+2,099,672
23055	Continuing Appropriations, 2009 (PL 110-329) (NA).....	(1,980,000)	---	---	(-1,980,000)	---
23060	(emergency) (PL 110-329) (NA).....	(2,529,672)	---	---	(-2,529,672)	---
23080	Subtotal, Formula grants.....	4,509,672	2,410,000	4,509,672	---	+2,099,672
23150	Contingency fund.....	---	790,000	590,328	+590,328	-199,672
23152	Continuing Appropriations, 2009 (PL 110-329) (NA).....	(340,328)	---	---	(-340,328)	---
23153	(emergency) (PL 110-329) (NA).....	(250,000)	---	---	(-250,000)	---
23154	Subtotal, Contingency fund.....	590,328	790,000	590,328	---	-199,672
23160	Total, LIHEAP.....	---	3,200,000	5,100,000	+5,100,000	+1,900,000
23175	Total, LIHEAP, program level.....	5,100,000	3,200,000	5,100,000	---	+1,900,000
23179	Total, LIHEAP, program level (excl. emergencies)	2,320,328	3,200,000	5,100,000	+2,779,672	+1,900,000
23200	REFUGEE AND ENTRANT ASSISTANCE					23200
23250	Transitional and Medical Services.....	282,348	337,102	337,102	+54,754	23250
23300	Victims of Trafficking.....	9,814	9,814	9,814	---	23300
23350	Social Services.....	154,005	154,005	154,005	---	23350
23400	Preventive Health.....	4,748	4,748	4,748	---	23400
23450	Targeted Assistance.....	48,590	48,590	48,590	---	23450
23475	Unaccompanied minors.....	123,120	175,581	149,351	+26,231	-26,230
23480	Public Law 111-32 (emergency).....	82,000	---	---	-82,000	---
23500	Victims of Torture.....	10,817	10,817	11,358	+541	+541
23550	Total, Refugee and entrant assistance.....	715,442	740,657	714,968	-474	-25,689
23551	Total, REA (excluding emergencies).....	633,442	740,657	714,968	+81,526	-25,689
23648	PAYMENTS TO STATES FOR THE					23648
23649	CHILD CARE AND DEVELOPMENT BLOCK GRANT					23649
23675	Child Care and Development Block Grant.....	2,127,081	2,127,081	2,127,081	---	23675
23677	Public Law 111-5 (emergency).....	2,000,000	---	---	-2,000,000	---
23690	Total, Child Care and Development Block Grant....	4,127,081	2,127,081	2,127,081	-2,000,000	---
23691	Total, CCDBG (excluding emergencies).....	2,127,081	2,127,081	2,127,081	---	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

			----- H.R. 3293 vs. -----			
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
23700 SOCIAL SERVICES BLOCK GRANT (TITLE XX).....	1,700,000	1,700,000	1,700,000	---	---	23700 M
23750 CHILDREN AND FAMILIES SERVICES PROGRAMS						23750
23800 Programs for Children, Youth and Families:						23800
23850 Head Start, current funded.....	7,112,786	7,234,783	7,234,783	+121,997	---	23850
23900 Advance from prior year.....	(1,388,800)	---	---	(-1,388,800)	---	23900
23910 Public Law 111-5 (emergency).....	2,100,000	---	---	-2,100,000	---	23910 UA
24000 Subtotal (excluding emergencies).....	7,112,786	7,234,783	7,234,783	+121,997	---	24000
24050 Consolidated Runaway, Homeless Youth Program.....	97,234	97,234	98,234	+1,000	+1,000	24050
24125 Prevention grants to reduce abuse of runaway youth	17,721	17,721	18,721	+1,000	+1,000	24125
24150 Child Abuse State Grants.....	26,535	26,535	26,535	---	---	24150 UA
24200 Child Abuse Discretionary Activities.....	41,757	39,345	40,595	-1,162	+1,250	24200
24225 Community based child abuse prevention.....	41,689	41,689	41,689	---	---	24225
24250 Abandoned Infants Assistance.....	11,628	11,628	11,628	---	---	24250 UA
24300 Child Welfare Services.....	281,744	281,744	281,744	---	---	24300
24350 Child Welfare Training.....	7,207	7,207	7,207	---	---	24350
24375 Innovative Approaches to Foster Care.....	---	20,000	20,000	+20,000	---	24375
24400 Adoption Opportunities.....	26,379	26,379	26,379	---	---	24400 UA
24500 Adoption Incentive.....	36,500	39,500	39,500	+3,000	---	24500
24550 Adoption Awareness.....	12,953	12,953	12,953	---	---	24550 UA
24600 Compassion Capital Fund.....	47,688	---	---	-47,688	---	24600
24640 Strengthening Communities Fund.....	---	50,000	---	---	-50,000	24640
24645 Public Law 111-5 (emergency).....	50,000	---	---	-50,000	---	24645
24650 Social Services and Income Maintenance Research.....	14,498	---	13,569	-929	+13,569	24650
24655 Evaluation tap funding.....	(5,762)	(5,762)	(5,762)	---	---	24655
24657 Subtotal, Program level (excl. emergencies).....	(20,260)	(5,762)	(19,331)	(-929)	(+13,569)	24657
24750 Developmental Disabilities Programs:						24750
24800 State Councils.....	74,316	74,316	74,316	---	---	24800
24850 Protection and Advocacy.....	40,024	40,024	41,024	+1,000	+1,000	24850
24875 Voting access for individuals with disabilities...	17,410	17,410	17,410	---	---	24875
24899 Developmental Disabilities Projects of National						24899
24900 Significance.....	14,162	14,162	14,662	+500	+500	24900
24949 University Centers for Excellence in Developmental						24949
24950 Disabilities.....	37,943	37,943	38,943	+1,000	+1,000	24950
25000 Subtotal, Developmental disabilities programs...	183,855	183,855	186,355	+2,500	+2,500	25000 UA
25050 Native American Programs.....	47,023	47,023	48,523	+1,500	+1,500	25050 UA
25100 Community Services:						25100
25110 Community Services Block Grant Act programs:						25110
25150 Grants to States for Community Services.....	700,000	700,000	700,000	---	---	25150 UA
25155 Public Law 111-5 (emergency).....	1,000,000	---	---	-1,000,000	---	25155 UA
25250 Economic Development.....	36,000	36,000	36,000	---	---	25250 UA
25350 Rural Community Facilities.....	10,000	---	10,000	---	+10,000	25350 UA
25400 Subtotal (excluding emergencies).....	746,000	736,000	746,000	---	+10,000	25400
25550 Job Opportunities for Low-Income Individuals..	5,288	5,288	---	-5,288	-5,288	25550
25560 Individual Development Account Initiative.....	24,025	24,025	24,025	---	---	25560 UA
25580 Subtotal, Community Services (excl. emergencies)	775,313	765,313	770,025	-5,288	+4,712	25580
25650 Domestic Violence Hotline.....	3,209	3,209	3,209	---	---	25650 UA
25700 Family Violence/Battered Women's Shelters.....	127,776	127,776	133,776	+6,000	+6,000	25700
25900 Mentoring Children of Prisoners.....	49,314	49,314	49,314	---	---	25900
25950 Independent Living Training Vouchers.....	45,351	45,351	45,351	---	---	25950
25960 Community-based Abstinence Education.....	94,659	---	---	-94,659	---	25960
25962 Evaluation Tap Funding.....	(4,455)	---	---	(-4,455)	---	25962
25964 Subtotal, Abstinence Education.....	(99,114)	---	---	(-99,114)	---	25964
25980 Teen Pregnancy Prevention Community Grants.....	---	110,000	110,000	+110,000	---	25980
25990 Evaluation Tap Funding.....	---	(4,455)	(4,455)	(+4,455)	---	25990
25995 Subtotal, Teen Pregnancy Prevention Com Grants..	---	(114,455)	(114,455)	(+114,455)	---	25995
25997 Faith-Based Center.....	1,362	1,376	1,376	+14	---	25997
25998 Disaster human services case management.....	---	2,000	2,000	+2,000	---	25998
26000 Program Direction.....	196,930	217,624	213,485	+16,555	-4,139	26000
=====						
26050 Total, Children and Families Services Programs..	12,451,111	9,459,559	9,436,951	-3,014,160	-22,608	26050
26101 Current Year.....	(9,301,111)	(9,459,559)	(9,436,951)	(+135,840)	(-22,608)	26101
26105 Current Year (emergency).....	(3,150,000)	---	---	(-3,150,000)	---	26105
26160 Evaluation Tap funding.....	(10,217)	(10,217)	(10,217)	---	---	26160
26165 Total, CFSP (excluding emergencies).....	9,301,111	9,459,559	9,436,951	+135,840	-22,608	26165
26180 Total, Program level.....	(12,461,328)	(9,469,776)	(9,447,168)	(-3,014,160)	(-22,608)	26180
26185 Total, Program level (excluding emergencies)....	(9,311,328)	(9,469,776)	(9,447,168)	(+135,840)	(-22,608)	26185

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----			
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable Request
26250	PROMOTING SAFE AND STABLE FAMILIES	345,000	345,000	345,000	---
26300	Discretionary Funds.....	63,311	63,311	63,311	---
26350	PAYMENTS FOR FOSTER CARE AND PERMANENCY				
26400	Foster Care.....	4,660,000	4,681,000	4,681,000	+21,000
26450	Adoption Assistance.....	2,371,000	2,462,000	2,462,000	+91,000
26455	Kinship Guardianship.....	14,000	49,000	49,000	+35,000
26500	Independent living.....	140,000	140,000	140,000	---
26550	Total, Payments to States.....	7,185,000	7,332,000	7,332,000	+147,000
26600	Less Advances from Prior Year.....	-1,776,000	-1,800,000	-1,800,000	-24,000
26650	Total, payments, current year.....	5,409,000	5,532,000	5,532,000	+123,000
26700	New Advance, 1st quarter.....	1,800,000	1,850,000	1,850,000	+50,000
=====					
26750	Total, Administration for Children & Families.....	30,927,644	29,689,117	31,540,820	+613,176
26800	Current year.....	(22,895,644)	(26,739,117)	(28,590,820)	(+5,695,176)
26810	Current Year (emergency).....	(5,232,000)	---	---	(+1,851,703)
26850	FY 2011.....	(2,800,000)	(2,950,000)	(2,950,000)	---
26875	Evaluation Tap funding.....	(10,217)	(10,217)	(10,217)	---
26877	Total, ACF (excluding emergencies).....	25,695,644	29,689,117	31,540,820	+5,845,176
26880	Total, ACF program level.....	30,937,861	29,699,334	31,551,037	+613,176
26881	Total, ACF program level (excl. emergencies).....	25,705,861	29,699,334	31,551,037	+5,845,176
26900	ADMINISTRATION ON AGING				
26910	AGING SERVICES PROGRAMS				
26950	Grants to States:				
27000	Home and Community-based Supportive Services.....	361,348	361,348	371,348	+10,000
27050	Preventive Health.....	21,026	21,026	21,026	---
27100	Protection of Vulnerable Older Americans-Title VII	21,383	21,383	21,383	---
27150	Family Caregivers.....	154,220	154,220	154,220	---
27200	Native American Caregivers Support.....	6,389	6,389	6,389	---
27250	Subtotal, Caregivers.....	160,609	160,609	160,609	---
27300	Nutrition:				
27350	Congregate Meals.....	434,269	434,269	447,297	+13,028
27355	Public Law 111-5 (emergency).....	65,000	---	---	+13,028
27400	Home Delivered Meals.....	214,459	214,459	220,893	+6,434
27405	Public Law 111-5 (emergency).....	32,000	---	---	+6,434
27425	Nutrition Services Incentive Program.....	161,015	161,015	161,015	---
27430	Subtotal (excluding emergencies).....	809,743	809,743	829,205	+19,462
27440	Subtotal, Grants to States (excl. emergencies).....	1,374,109	1,374,109	1,403,571	+29,462
27450	Grants for Native Americans.....	27,208	27,208	28,208	+1,000
27455	Public Law 111-5 (emergency).....	3,000	---	---	+1,000
27500	Program Innovations.....	18,172	13,049	21,128	-3,000
27550	Aging Network Support Activities.....	41,694	44,283	44,283	+2,956
27600	Alzheimer's Disease Demonstrations.....	11,464	11,464	11,464	+2,589
27610	Lifespan Respite Care.....	2,500	2,500	2,500	---
27650	Program Administration.....	18,696	21,230	19,727	+1,031
27700	Total, Administration on Aging.....	1,593,843	1,493,843	1,530,881	-62,962
27701	Total, Admin. on Aging (excluding emergencies).....	1,493,843	1,493,843	1,530,881	+37,038
27750	OFFICE OF THE SECRETARY				
27800	GENERAL DEPARTMENTAL MANAGEMENT				
27810	General Departmental Management:				
27850	Federal Funds.....	194,252	205,025	199,384	+5,132
27950	Trust Funds.....	5,851	5,851	5,851	-5,641
28050	Subtotal.....	200,103	210,876	205,235	+5,132

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LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----					
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
28100	Adolescent Family Life (Title XX).....	29,778	29,778	29,778	---	---	28100 UA
28200	Minority health.....	52,956	55,956	56,000	+3,044	+44	28200
28250	Office of women's health.....	33,746	33,746	33,746	---	---	28250
28500	Minority HIV/AIDS.....	51,891	51,891	53,891	+2,000	+2,000	28500
28530	Afghanistan.....	5,789	5,789	5,789	---	---	28530
28535	Transformation of the Commissioned Corps.....	14,813	14,813	14,813	---	---	28535
28540	Embryo adoption awareness campaign.....	4,200	4,200	4,200	---	---	28540
28560	Evaluation tap funding (ASPE) (NA).....	(46,756)	(59,756)	(69,756)	(+23,000)	(+10,000)	28560
28600	Total, General Departmental Management.....	393,276	407,049	403,452	+10,176	-3,597	28600
28650	Federal Funds.....	(387,425)	(401,198)	(397,601)	(+10,176)	(-3,597)	28650
28700	Trust Funds.....	5,851	5,851	5,851	---	---	28700
28775	Evaluation tap funding.....	(46,756)	(59,756)	(69,756)	(+23,000)	(+10,000)	28775
28777	OFFICE OF MEDICARE HEARINGS AND APPEALS.....	64,604	71,147	71,147	+6,543	---	28777
28779	OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH						28779
28780	INFORMATION TECHNOLOGY.....	43,552	42,331	---	-43,552	-42,331	28780
28781	Public Law 111-5 (emergency).....	2,000,000	---	---	-2,000,000	---	28781
28782	Evaluation tap funding.....	(17,679)	(19,011)	(61,342)	(+43,663)	(+42,331)	28782
28783	Total, program level (excluding emergencies)..	(61,231)	(61,342)	(61,342)	(+111)	---	28783
28850	OFFICE OF INSPECTOR GENERAL						28850
28900	Inspector General Federal Funds.....	45,279	50,279	50,279	+5,000	---	28900
28905	Public Law 111-5 (emergency).....	17,000	---	---	-17,000	---	28905
28950	HIPAA/HCFAC funding (NA).....	(177,205)	(177,205)	(177,205)	---	---	28950
28975	Medicaid integrity program						28975
28976	Deficit Reduction Act (P.L. 109-171) (NA).....	(25,000)	(25,000)	(25,000)	---	---	28976
29050	Total, Inspector General program level.....	(264,484)	(252,484)	(252,484)	(-12,000)	---	29050
29052	Total, IG program level (excluding emergencies)..	(247,484)	(252,484)	(252,484)	(+5,000)	---	29052
29100	OFFICE FOR CIVIL RIGHTS:						29100
29150	Federal Funds.....	36,785	37,785	37,785	+1,000	---	29150
29200	Trust Funds.....	3,314	3,314	3,314	---	---	29200
29250	Total, Office for Civil Rights.....	40,099	41,099	41,099	+1,000	---	29250
29450	RETIREMENT PAY AND						29450
29451	MEDICAL BENEFITS FOR COMMISSIONED OFFICERS						29451
29500	Retirement payments.....	339,352	356,455	356,455	+17,103	---	29500 M
29550	Survivors benefits.....	19,474	24,593	24,593	+5,119	---	29550 M
29600	Dependents' medical care.....	75,868	93,509	93,509	+17,641	---	29600 M
29605	Total, Medical benefits for Commissioned Officers	434,694	474,557	474,557	+39,863	---	29605
29710	PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND						29710
29715	Assistant Secretary for Preparedness and Response						29715
29717	Operations.....	12,847	12,847	12,847	---	---	29717
29720	Preparedness and emergency operations.....	22,225	35,565	35,565	+13,340	---	29720
29725	National disaster medical system.....	49,500	56,037	56,037	+6,537	---	29725
29730	Hospital Preparedness Cooperative Agreement Grants:						29730
29735	Formula grants.....	370,797	420,000	420,000	+49,203	---	29735
29750	Other costs.....	16,788	---	---	-16,788	---	29750
29760	Emergency Systems for Advanced Registration of						29760
29765	Volunteer Health Professionals (ESAR-VHP).....	6,000	6,000	6,000	---	---	29765
29767	Emergency care systems.....	---	10,000	---	---	-10,000	29767
29775	Advanced research and development.....	275,000	305,000	305,000	+30,000	---	29775
29778	Project Bioshield Special Reserve Fund 2/.....	---	1,264,000	764,000	+764,000	-500,000	29778
29780	Bioshield management.....	22,052	22,364	22,364	+312	---	29780
29782	Medical Countermeasure Dispensing.....	---	10,000	10,000	+10,000	---	29782
29785	Global Medicine, Science, and Public Health.....	8,690	8,748	8,748	+58	---	29785
29790	Policy, strategic planning, and communications.....	4,292	4,367	4,367	+75	---	29790
29795	Subtotal, AS for Preparedness and Response.....	788,191	2,154,928	1,644,928	+856,737	-510,000	29795
29800	Assistant Secretary for Resources and Technology,						29800
29805	Cyber security.....	8,906	50,000	14,080	+5,174	-35,920	29805
29807	Public Law 111-5 (emergency).....	50,000	---	---	-50,000	---	29807
29810	Office of security and strategic information.....	3,263	4,893	4,893	+1,630	---	29810
29815	Office of Public Health and Science						29815
29825	Medical Reserve Corps.....	12,344	12,581	12,581	+237	---	29825

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		FY 2009		FY 2010		H.R. 3293		----- H.R. 3293 vs. -----			
		Comparable		Request		Comparable		Request			
29835	Office of the Secretary									29835	
29837	Parklawn lease expiration.....	---	102,000	70,000	70,000	+70,000	-32,000	29837			
29840	Pandemic influenza preparedness:							29840			
29845	Available until expended.....	507,000	276,000	276,000	276,000	-231,000	---	29845			
29847	Public Law 111-32 (emergency).....	7,650,000	---	---	---	-7,650,000	---	29847			
29850	Fiscal year 2010.....	78,091	78,167	78,167	78,167	+76	---	29850			
29860	Subtotal, Office of the Secretary.....	8,235,091	456,167	424,167	424,167	-7,810,924	-32,000	29860			
29865	Subtotal, Non-pandemic flu/BARDA/BioShield/Parklawn	(587,704)	(653,402)	(607,482)	(607,482)	(+19,778)	(-45,920)	29865			
29870	Total, PHSSEF.....	9,097,795	2,678,569	2,100,649	2,100,649	-6,997,146	-577,920	29870			
29875	Total, PHSSEF (excluding emergencies).....	1,397,795	2,678,569	2,100,649	2,100,649	+702,854	-577,920	29875			
29880	Prevention and Wellness Fund (PL 111-5)(emergency)....	650,000	---	---	---	-650,000	---	29880			
29900	Total, Office of the Secretary.....	12,786,299	3,765,031	3,141,183	3,141,183	-9,645,116	-623,848	29900			
29950	Federal Funds.....	2,345,530	3,684,719	3,060,871	3,060,871	+715,341	-623,848	29950			
29955	Federal Funds (emergency).....	10,367,000	---	---	---	-10,367,000	---	29955			
30000	Trust Funds.....	73,769	80,312	80,312	80,312	+6,543	---	30000			
30010	Total, Ofce of the Secretary (excl. emergencies)	2,419,299	3,765,031	3,141,183	3,141,183	+721,884	-623,848	30010			
30100	Total, Title II, Dept of Health & Human Services	569,406,684	601,485,009	603,512,861	603,512,861	+34,106,177	+2,027,852	30100			
30150	Federal Funds.....	565,829,529	597,628,197	599,658,187	599,658,187	+33,828,658	+2,029,990	30150			
30200	Current year.....	(461,690,491)	(507,888,815)	(509,918,805)	(509,918,805)	(+48,228,314)	(+2,029,990)	30200			
30210	Current Year (emergency).....	(29,639,000)	---	---	---	(-29,639,000)	---	30210			
30250	FY 2011.....	(74,500,038)	(89,739,382)	(89,739,382)	(89,739,382)	(+15,239,344)	---	30250			
30300	Trust Funds.....	3,577,155	3,856,812	3,854,674	3,854,674	+277,519	-2,138	30300			
30301	Total, Title II (excluding emergencies).....	539,757,684	601,485,009	603,512,861	603,512,861	+63,755,177	+2,027,852	30301			
30305	Title II Footnotes:							30305			
30315	1/ Includes Mine Safety and Health							30315			
30335	2/ FY 2010 request proposes to transfer the Project							30335			
30336	BioShield Special Fund from Dept. of Homeland Security							30336			
30350	TITLE III - DEPARTMENT OF EDUCATION							30350			
30400	EDUCATION FOR THE DISADVANTAGED							30400			
30450	Grants to Local Educational Agencies (LEAs)							30450			
30500	Basic Grants:							30500			
30550	Advance from prior year.....	(633,827)	(2,946,721)	(2,946,721)	(2,946,721)	(+2,312,894)	---	30550			
30600	Forward funded.....	3,647,225	2,147,225	3,145,801	3,145,801	-501,424	+998,576	30600			FF
30650	Current funded.....	4,000	4,000	4,000	4,000	---	---	30650			
30700	Subtotal, Basic grants current year approp..	3,651,225	2,151,225	3,149,801	3,149,801	-501,424	+998,576	30700			
30750	Subtotal, Basic grants total funds available	(4,285,052)	(5,097,946)	(6,096,522)	(6,096,522)	(+1,811,470)	(+998,576)	30750			
30800	Basic Grants FY 2011 Advance.....	2,946,721	2,946,721	3,448,145	3,448,145	+501,424	+501,424	30800			
30850	Subtotal, Basic grants, program level.....	6,597,946	5,097,946	6,597,946	6,597,946	---	+1,500,000	30850			
30900	Concentration Grants:							30900			
30950	Advance from prior year.....	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	---	---	30950			
31000	FY 2011 Advance.....	1,365,031	1,365,031	1,365,031	1,365,031	---	---	31000			
31100	Targeted Grants:							31100			
31120	Forward funded.....	---	---	250,712	250,712	+250,712	+250,712	31120			FF
31125	Public Law 111-5 (emergency).....	5,000,000	---	---	---	-5,000,000	---	31125			FF
31150	Advance from prior year.....	(2,967,949)	(3,264,712)	(3,264,712)	(3,264,712)	(+296,763)	---	31150			
31200	FY 2011 Advance.....	3,264,712	3,264,712	3,014,000	3,014,000	-250,712	-250,712	31200			
31250	Subtotal (excluding emergencies).....	3,264,712	3,264,712	3,264,712	3,264,712	---	---	31250			
31300	Education Finance Incentive Grants:							31300			
31305	Forward Funded.....	---	---	250,712	250,712	+250,712	+250,712	31305			FF
31310	(Public Law 111-5) (emergency).....	5,000,000	---	---	---	-5,000,000	---	31310			FF
31350	Advance from prior year.....	(2,967,949)	(3,264,712)	(3,264,712)	(3,264,712)	(+296,763)	---	31350			
31400	FY 2011 Advance.....	3,264,712	3,264,712	3,014,000	3,014,000	-250,712	-250,712	31400			
31450	Subtotal (excluding emergencies).....	3,264,712	3,264,712	3,264,712	3,264,712	---	---	31450			
31500	Subtotal, Grants to LEAs, program level.....	24,492,401	12,992,401	14,492,401	14,492,401	-10,000,000	+1,500,000	31500			
31505	Subtotal, program level (excl. emergencies).	14,492,401	12,992,401	14,492,401	14,492,401	---	+1,500,000	31505			
31550	Even Start.....	66,454	---	66,454	66,454	---	+66,454	31550			FF
31560	School improvement grants.....	545,633	1,545,633	545,633	545,633	---	-1,000,000	31560			FF
31561	Public Law 111-5 (emergency).....	3,000,000	---	---	---	-3,000,000	---	31561			FF
31670	Early Childhood Grants.....	---	500,000	---	---	---	-500,000	31670			
31675	Early Learning Challenge Fund.....	---	300,000	---	---	---	-300,000	31675			
31890	Early Reading First.....	112,549	162,549	127,549	127,549	+15,000	-35,000	31890			
31895	Striving readers.....	35,371	370,371	146,000	146,000	+110,629	-224,371	31895			FF

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

----- H.R. 3293 vs. -----

	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
31900 Literacy through School Libraries.....	19,145	19,145	19,145	---	---	31900
31950 State Agency Programs:						31950
32000 Migrant.....	394,771	394,771	394,771	---	---	32000
32050 Neglected and Delinquent/High Risk Youth.....	50,427	50,427	50,427	---	---	32050
32060 Subtotal, State Agency programs.....	445,198	445,198	445,198	---	---	32060
32100 Evaluation.....	9,167	9,167	9,167	---	---	32100
32155 High School Graduation Initiative.....	---	50,000	50,000	+50,000	---	32155
32400 Migrant Education:						32400
32450 High School Equivalency Program.....	18,682	36,668	36,668	+17,986	---	32450
32500 College Assistance Migrant Program.....	15,486	---	---	-15,486	---	32500
32550 Subtotal, Migrant Education.....	34,168	36,668	36,668	+2,500	---	32550
=====						
32600 Total, Education for the disadvantaged.....	28,760,086	16,431,132	15,938,215	-12,821,871	-492,917	32600
32651 Current Year.....	(4,918,910)	(5,589,956)	(5,097,039)	(+178,129)	(-492,917)	32651
32655 Current Year (emergency).....	(13,000,000)	---	---	(-13,000,000)	---	32655
32700 FY 2011.....	(10,841,176)	(10,841,176)	(10,841,176)	---	---	32700
32750 Subtotal, Forward Funded (excl. emergencies)....	(4,739,881)	(4,508,427)	(4,850,510)	(+110,629)	(+342,083)	32750
32751 Total, Ed. for disadvantaged (excl. emergencies)	15,760,086	16,431,132	15,938,215	+178,129	-492,917	32751
32800 IMPACT AID						32800
32850 Basic Support Payments.....	1,128,535	1,128,535	1,151,535	+23,000	+23,000	32850
32900 Payments for Children with Disabilities.....	48,602	48,602	48,602	---	---	32900
32950 Facilities Maintenance (Sec. 8008).....	4,864	4,864	4,864	---	---	32950
33000 Construction (Sec. 8007).....	17,509	17,509	17,509	---	---	33000
33005 Public Law 111-5 (emergency).....	100,000	---	---	-100,000	---	33005
33050 Payments for Federal Property (Sec. 8002).....	66,208	66,208	68,208	+2,000	+2,000	33050
33100 Total, Impact aid.....	1,365,718	1,265,718	1,290,718	-75,000	+25,000	33100
33101 Total, Impact aid (excluding emergencies).....	1,265,718	1,265,718	1,290,718	+25,000	+25,000	33101
33150 SCHOOL IMPROVEMENT PROGRAMS						33150
33200 State Grants for Improving Teacher Quality.....	1,266,308	1,266,308	1,266,308	---	---	33200
33250 Advance from prior year.....	(1,435,000)	(1,681,441)	(1,681,441)	(+246,441)	---	33250
33300 FY 2011.....	1,681,441	1,681,441	1,681,441	---	---	33300
33350 Subtotal, State Grants for Improving Teacher						33350
33400 Quality, program level.....	2,947,749	2,947,749	2,947,749	---	---	33400
33700 Mathematics and Science Partnerships.....	178,978	178,978	178,978	---	---	33700
34150 Educational Technology State Grants.....	269,872	100,000	100,000	-169,872	---	34150
34155 Public Law 111-5 (emergency).....	650,000	---	---	-650,000	---	34155
34200 Supplemental Education Grants.....	17,687	17,687	17,687	---	---	34200
34325 21st Century Community Learning Centers.....	1,131,166	1,131,166	1,181,166	+50,000	+50,000	34325
35050 State Assessments/Enhanced Assessment Instruments....	410,732	410,732	410,732	---	---	35050
35060 Javits gifted and talented education.....	7,463	---	7,463	---	+7,463	35060
35070 Foreign language assistance.....	26,328	26,328	26,328	---	---	35070
35100 Education for Homeless Children and Youth.....	65,427	65,427	65,427	---	---	35100
35105 Public Law 111-5 (emergency).....	70,000	---	---	-70,000	---	35105
35150 Training and Advisory Services (Civil Rights).....	9,489	6,989	6,989	-2,500	---	35150
35200 Education for Native Hawaiians.....	33,315	33,315	33,315	---	---	35200
35250 Alaska Native Education Equity.....	33,315	33,315	33,315	---	---	35250
35300 Rural Education.....	173,382	173,382	173,382	---	---	35300
35400 Comprehensive Centers.....	57,113	57,113	57,113	---	---	35400
=====						
35900 Total, School improvement programs.....	6,082,016	5,182,181	5,239,644	-842,372	+57,463	35900
35951 Current Year.....	(3,680,575)	(3,500,740)	(3,558,203)	(-122,372)	(+57,463)	35951
35955 Current Year (emergency).....	(720,000)	---	---	(-720,000)	---	35955
36000 FY 2011.....	(1,681,441)	(1,681,441)	(1,681,441)	---	---	36000
36050 Subtotal, Forward Funded (excluding emergencies)	(4,215,865)	(3,325,993)	(3,375,993)	(-839,872)	(+50,000)	36050
36051 Total, School improvement (excl. emergencies)...	5,362,016	5,182,181	5,239,644	-122,372	+57,463	36051

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request	
36100	INDIAN EDUCATION						36100
36110	Grants to Local Educational Agencies.....	99,331	99,331	109,331	+10,000	+10,000	36110
36120	Federal Programs:						36120
36130	Special Programs for Indian Children.....	19,060	19,060	19,060	---	---	36130
36140	National Activities.....	3,891	3,891	3,891	---	---	36140
36150	Subtotal, Federal Programs.....	22,951	22,951	22,951	---	---	36150
36170	Total, Indian Education.....	122,282	122,282	132,282	+10,000	+10,000	36170
36300	INNOVATION AND IMPROVEMENT						36300
36310	Troops-to-Teachers.....	14,389	14,389	14,389	---	---	36310
36320	Transition to Teaching.....	43,707	43,707	43,707	---	---	36320
36330	National Writing Project.....	24,291	24,291	24,291	---	---	36330
36340	Teaching of Traditional American History.....	118,952	118,952	100,000	-18,952	-18,952	36340
36350	School Leadership.....	19,220	29,220	29,220	+10,000	---	36350
36360	Advanced Credentialing.....	10,649	10,649	10,649	---	---	36360
36365	Adjunct Teacher Corps.....	---	---	---	---	---	36365
36370	Charter Schools Grants.....	216,031	268,031	256,031	+40,000	-12,000	36370
36380	Credit Enhancement for Charter School Facilities.....	---	---	---	---	---	36380
36390	Voluntary Public School Choice.....	25,819	25,819	25,819	---	---	36390
36400	Magnet Schools Assistance.....	104,829	104,829	104,829	---	---	36400
36425	Fund for the Improvement of Education (FIE).....	250,370	213,836	217,666	-32,704	+3,830	36425
36430	Teacher Incentive Fund.....	97,270	487,270	445,864	+348,594	-41,406	36430
36432	Public Law 111-5 (emergency).....	200,000	---	---	-200,000	---	36432
36438	National Teacher Recruitment Campaign.....	---	30,000	10,000	+10,000	-20,000	36438
36440	Ready-to-Learn television.....	25,416	25,416	25,416	---	---	36440
36460	Close Up Fellowships.....	1,942	---	1,942	---	+1,942	36460
36465	Advanced Placement & International Baccalaureate prog.....	---	---	---	---	---	36465
36470	Advanced Placement.....	43,540	43,540	43,540	---	---	36470
36480	Total, Innovation and Improvement.....	1,196,425	1,439,949	1,353,363	+156,938	-86,586	36480
36486	Current Year.....	(996,425)	(1,439,949)	(1,353,363)	(+356,938)	(-86,586)	36486
36490	Current Year (emergency)	(200,000)	---	---	(-200,000)	---	36490
36492	Total, Innovation & Improve. (excl. emergencies)	996,425	1,439,949	1,353,363	+356,938	-86,586	36492
36500	STATE FISCAL STABILIZATION FUND.....	---	100,000	3,000	+3,000	-97,000	36500
36502	Public Law 111-5 (emergency).....	53,600,000	---	---	-53,600,000	---	36502
36505	SAFE SCHOOLS AND CITIZENSHIP EDUCATION						36505
36510	Safe and Drug Free Schools and Communities:						36510
36520	State Grants, forward funded.....	294,759	---	---	-294,759	---	36520
36570	National Programs.....	140,264	250,896	195,041	+54,777	-55,855	36570
36590	Alcohol Abuse Reduction.....	32,712	32,712	32,712	---	---	36590
36600	Mentoring Programs.....	47,264	---	---	-47,264	---	36600
36610	Character education.....	11,912	---	---	-11,912	---	36610
36620	Elementary and Secondary School Counseling.....	52,000	52,000	55,000	+3,000	+3,000	36620
36630	Carol M. White Physical Education Program.....	78,000	78,000	78,000	---	---	36630
36640	Civic Education.....	33,459	---	35,000	+1,541	+35,000	36640
36670	Total, Safe Schools and Citizenship Education...	690,370	413,608	395,753	-294,617	-17,855	36670
36695	Subtotal, Forward Funded.....	(294,759)	---	---	(-294,759)	---	36695
36700	ENGLISH LANGUAGE ACQUISITION						36700
36710	Current funded.....	47,450	47,450	49,400	+1,950	+1,950	36710
36750	Forward funded.....	682,550	682,550	710,600	+28,050	+28,050	36750
36800	Total, English Language Acquisition.....	730,000	730,000	760,000	+30,000	+30,000	36800
36850	SPECIAL EDUCATION						36850
36900	State Grants:						36900
36950	Grants to States Part B current year.....	2,912,828	2,912,828	2,912,828	---	---	36950
36955	Public Law 111-5 (emergency).....	11,300,000	---	---	-11,300,000	---	36955
37000	Part B advance from prior year.....	(6,856,444)	(8,592,383)	(8,592,383)	(+1,735,939)	---	37000
37050	Grants to States Part B (FY 2011).....	8,592,383	8,592,383	8,592,383	---	---	37050
37100	Subtotal, program level (excluding emergencies)	11,505,211	11,505,211	11,505,211	---	---	37100
37150	Preschool Grants.....	374,099	374,099	374,099	---	---	37150
37155	Public Law 111-5 (emergency).....	400,000	---	---	-400,000	---	37155
37200	Grants for Infants and Families.....	439,427	439,427	439,427	---	---	37200
37205	Public Law 111-5 (emergency).....	500,000	---	---	-500,000	---	37205
37250	Subtotal, program level (excluding emergencies)	12,318,737	12,318,737	12,318,737	---	---	37250

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LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

----- H.R. 3293 vs. -----					
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
37300 IDEA National Activities (current funded):					37300
37350 State personnel development.....	48,000	48,000	48,000	---	37350
37450 Technical Assistance and Dissemination.....	48,549	48,549	48,549	---	37450
37500 Personnel Preparation.....	90,653	90,653	90,653	---	37500
37550 Parent Information Centers.....	27,028	27,028	27,028	---	37550
37600 Technology and Media Services.....	38,615	38,615	38,615	---	37600
37700 Subtotal, IDEA special programs.....	252,845	252,845	252,845	---	37700
37740 Special Olympics Education programs.....	8,095	8,095	8,095	---	37740
37750 Total, Special education.....	24,779,677	12,579,677	12,579,677	-12,200,000	37750
37801 Current Year.....	(3,987,294)	(3,987,294)	(3,987,294)	---	37801
37805 Current Year (emergency).....	(12,200,000)	---	---	(-12,200,000)	37805
37850 FY 2011.....	(8,592,383)	(8,592,383)	(8,592,383)	---	37850
37900 Subtotal, Forward Funded (excl. emergencies)....	(3,726,354)	(3,726,354)	(3,726,354)	---	37900
37901 Total, Special education (excluding emergencies)	12,579,677	12,579,677	12,579,677	---	37901
37950 REHABILITATION SERVICES AND DISABILITY RESEARCH					37950
38000 Vocational Rehabilitation State Grants.....	2,974,635	3,084,696	3,084,696	+110,061	38000 M
38005 Public Law 111-5 (emergency).....	540,000	---	---	-540,000	38005
38100 Client Assistance State grants.....	11,576	11,576	11,576	---	38100
38150 Training.....	37,766	37,766	37,766	---	38150
38200 Demonstration and training programs.....	9,594	6,506	9,076	-518	38200
38250 Migrant and seasonal farmworkers.....	2,239	2,239	2,239	---	38250
38300 Recreational programs.....	2,474	2,474	2,474	---	38300
38350 Protection and advocacy of individual rights (PAIR)...	17,101	17,101	18,101	+1,000	38350
38400 Projects with industry.....	19,197	19,197	19,197	---	38400
38450 Supported employment State grants.....	29,181	29,181	29,181	---	38450
38500 Independent living:					38500
38550 State grants.....	23,450	23,450	23,450	---	38550
38555 Public Law 111-5 (emergency).....	18,200	---	---	-18,200	38555
38600 Centers.....	77,266	80,266	80,266	+3,000	38600
38605 Public Law 111-5 (emergency).....	87,500	---	---	-87,500	38605
38650 Services for older blind individuals.....	34,151	34,151	34,151	---	38650
38655 Public Law 111-5 (emergency).....	34,300	---	---	-34,300	38655
38700 Subtotal (excluding emergencies).....	134,867	137,867	137,867	+3,000	38700
38750 Program Improvement.....	622	852	852	+230	38750
38800 Evaluation.....	1,447	1,217	1,217	-230	38800
38849 Helen Keller National Center for Deaf/Blind Youth and					38849
38850 Adults.....	8,362	8,362	8,362	---	38850
38900 National Inst. Disability and Rehab. Research (NIDRR).	107,741	110,741	110,741	+3,000	38900
38950 Assistive Technology.....	30,960	30,960	30,960	---	38950
39050 Subtotal, Discretionary programs.....	1,093,127	416,039	419,609	-673,518	39050
39051 Subtotal, Discretionary (excluding emergencies)	413,127	416,039	419,609	+6,482	39051
39100 Total, Rehabilitation services.....	4,067,762	3,500,735	3,504,305	-563,457	39100 UA
39101 Total, Rehab. services (excluding emergencies)...	3,387,762	3,500,735	3,504,305	+116,543	39101 UA
39150 SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES					39150
39200 AMERICAN PRINTING HOUSE FOR THE BLIND.....	22,599	22,599	22,599	---	39200
39250 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):					39250
39300 Operations.....	63,037	63,037	63,037	---	39300
39400 Construction.....	1,175	5,400	5,400	+4,225	39400
39450 Total, NTID.....	64,212	68,437	68,437	+4,225	39450 UA
39550 GALLAUDET UNIVERSITY:					39550
39555 Operations.....	118,000	118,000	118,000	---	39555 UA
39557 Construction.....	6,000	2,000	2,000	-4,000	39557
39570 Total, Gallaudet University.....	124,000	120,000	120,000	-4,000	39570
39699 Total, Special Institutions for Persons with					39699
39700 Disabilities.....	210,811	211,036	211,036	+225	39700

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		FY 2009		FY 2010		H.R. 3293		----- H.R. 3293 vs. -----			
		Comparable		Request		Comparable		Request			
39750	CAREER AND ADULT EDUCATION									39750	
39800	Career Education:									39800	
39850	Basic State Grants/Secondary & Technical Education									39850	
39875	State Grants, current funded.....	369,911	369,911	369,911	369,911	---	---	---	---	39875	FF
39900	Advance from prior year.....	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	---	39900	
39950	FY 2011.....	791,000	791,000	791,000	791,000	---	---	---	---	39950	
40000	Subtotal, Basic State Grants, program level.....	1,160,911	1,160,911	1,160,911	1,160,911	---	---	---	---	40000	
40050	Tech-Prep Education State Grants.....	102,923	102,923	102,923	102,923	---	---	---	---	40050	FF
40150	National Programs.....	7,860	7,860	7,860	7,860	---	---	---	---	40150	FF
40300	Subtotal, Vocational Education.....	1,271,694	1,271,694	1,271,694	1,271,694	---	---	---	---	40300	
40350	Adult Education:									40350	
40375	State Grants/Adult basic and literacy education:									40375	FF
40400	State Grants, current funded.....	554,122	628,221	628,221	628,221	+74,099	---	---	---	40400	FF
40450	National Programs:									40450	
40500	National Leadership Activities.....	6,878	13,346	11,346	11,346	+4,468	-2,000	---	---	40500	FF
40550	National Institute for Literacy.....	6,468	---	---	---	-6,468	---	---	---	40550	FF
40600	Subtotal, National programs.....	13,346	13,346	11,346	11,346	-2,000	-2,000	---	---	40600	
40650	Subtotal, Adult education.....	567,468	641,567	639,567	639,567	+72,099	-2,000	---	---	40650	
40710	Smaller Learning Communities, current funded.....	4,400	4,400	4,400	4,400	---	---	---	---	40710	
40720	Smaller Learning Communities, forward funded.....	83,600	83,600	83,600	83,600	---	---	---	---	40720	FF
40725	State Grants for Incarcerated Youth Offenders.....	17,186	17,186	17,186	17,186	---	---	---	---	40725	UA FF
40750	Total, Career and adult education.....	1,944,348	2,018,447	2,016,447	2,016,447	+72,099	-2,000	---	---	40750	UA
40800	Current Year.....	(1,153,348)	(1,227,447)	(1,225,447)	(1,225,447)	(+72,099)	(-2,000)	---	---	40800	
40850	FY 2011.....	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	---	40850	
40900	Subtotal, Forward Funded.....	(1,148,948)	(1,223,047)	(1,221,047)	(1,221,047)	(+72,099)	(-2,000)	---	---	40900	
40950	STUDENT FINANCIAL ASSISTANCE									40950	
41000	Pell Grants -- maximum grant (NA).....	(4,860)	(4,860)	(4,860)	(4,860)	---	---	---	---	41000	
41050	Pell Grants 1/.....	17,288,000	17,495,000	17,783,395	17,783,395	+495,395	+288,395	---	---	41050	
41055	Public Law 111-5 (emergency).....	15,640,000	---	---	---	-15,640,000	---	---	---	41055	
41100	Federal Supplemental Educational Opportunity Grants....	757,465	757,465	757,465	757,465	---	---	---	---	41100	
41150	Federal Work Study.....	980,492	980,492	980,492	980,492	---	---	---	---	41150	
41155	Public Law 111-5 (emergency).....	200,000	---	---	---	-200,000	---	---	---	41155	
41200	Federal Perkins loan cancellations.....	67,164	---	49,701	49,701	-17,463	+49,701	---	---	41200	
41400	LEAP program.....	63,852	63,852	63,852	63,852	---	---	---	---	41400	
41500	Total, Student Financial Assistance (SFA).....	34,996,973	19,296,809	19,634,905	19,634,905	-15,362,068	+338,096	---	---	41500	UA
41501	Total, SFA (excluding emergencies).....	19,156,973	19,296,809	19,634,905	19,634,905	+477,932	+338,096	---	---	41501	UA
41610	STUDENT AID ADMINISTRATION	753,402	870,402	870,402	870,402	+117,000	---	---	---	41610	UA
41615	Public Law 111-5 (emergency).....	60,000	---	---	---	-60,000	---	---	---	41615	UA
41650	HIGHER EDUCATION									41650	
41700	Aid for Institutional Development:									41700	
41750	Strengthening Institutions.....	80,000	84,000	84,000	84,000	+4,000	---	---	---	41750	
41800	Hispanic Serving Institutions.....	93,256	97,919	136,938	136,938	+43,682	+39,019	---	---	41800	
41810	Promoting Post-Baccalaureate Opportunities for									41810	
41811	Hispanic Americans.....	---	---	10,500	10,500	+10,500	+10,500	---	---	41811	
41850	Strengthening Historically Black Colleges (HBCUs).....	238,095	250,000	283,172	283,172	+45,077	+33,172	---	---	41850	
41898	Strengthening Historically Black Graduate									41898	
41900	Institutions.....	58,500	61,425	61,425	61,425	+2,925	---	---	---	41900	
41905	Strengthening Predominantly Black Institutions....	---	7,875	13,727	13,727	+13,727	+5,852	---	---	41905	
41925	Asian American Pacific Islander.....	2,500	2,625	4,575	4,575	+2,075	+1,950	---	---	41925	
41949	Strengthening Alaska Native and									41949	
41950	Native Hawaiian-Serving Institutions.....	11,579	12,158	18,010	18,010	+6,431	+5,852	---	---	41950	
41955	Strengthening Native American-Serving Nontribal									41955	
41956	Institutions.....	---	2,625	4,575	4,575	+4,575	+1,950	---	---	41956	
42000	Strengthening Tribal Colleges.....	23,158	24,316	36,021	36,021	+12,863	+11,705	---	---	42000	
42050	Subtotal, Aid for Institutional development.....	507,088	542,943	652,943	652,943	+145,855	+110,000	---	---	42050	UA
42100	International Education and Foreign Language:									42100	
42150	Domestic Programs.....	102,335	102,335	111,635	111,635	+9,300	+9,300	---	---	42150	UA
42200	Overseas Programs.....	14,709	14,709	15,209	15,209	+500	+500	---	---	42200	
42250	Institute for International Public Policy.....	1,837	1,837	2,037	2,037	+200	+200	---	---	42250	UA
42300	Subtotal, International Education & Foreign Lang	118,881	118,881	128,881	128,881	+10,000	+10,000	---	---	42300	
42375	Fund for the Improvement of Postsec. Ed. (FIPSE).....	133,667	47,424	133,916	133,916	+249	+86,492	---	---	42375	UA
42400	Minority Science and Engineering Improvement.....	8,577	9,006	10,000	10,000	+1,423	+994	---	---	42400	UA
42475	Tribally Controlled Postsec Voc/Tech Institutions....	7,773	7,773	8,162	8,162	+389	+389	---	---	42475	UA
42500	Federal TRIO Programs.....	848,089	848,089	868,089	868,089	+20,000	+20,000	---	---	42500	UA
42550	GEAR UP.....	313,212	313,212	333,212	333,212	+20,000	+20,000	---	---	42550	UA
42600	Byrd Honors Scholarships.....	40,642	40,642	40,642	40,642	---	---	---	---	42600	UA

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

----- H.R. 3293 vs. -----					
	FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
42650 Javits Fellowships.....	9,687	9,687	9,687	---	---
42700 Graduate Assistance in Areas of National Need.....	31,030	31,030	31,030	---	---
42750 Teacher Quality Partnerships.....	50,000	50,000	43,000	-7,000	-7,000
42755 Public Law 111-5 (emergency).....	100,000	---	---	-100,000	---
42760 BA Degrees in STEM & Critical Foreign Languages.....	1,092	1,092	---	-1,092	-1,092
42770 MA Degrees in STEM & Critical Foreign Languages.....	1,092	1,092	---	-1,092	-1,092
42800 Child Care Access Means Parents in School.....	16,034	16,034	17,034	+1,000	+1,000
42850 Demonstration in Disabilities / Higher Education.....	6,755	6,755	10,755	+4,000	+4,000
42900 Underground Railroad Program.....	1,945	1,945	1,945	---	---
42950 GPRA data/HEA program evaluation.....	609	609	609	---	---
43050 B.J. Stupak Olympic Scholarships.....	977	977	977	---	---
43075 Thurgood Marshall Legal education opportunities.....	3,000	3,000	3,000	---	---
=====					
43110 Total, Higher education.....	2,200,150	2,050,191	2,293,882	+93,732	+243,691
43111 Total, Higher education (excluding emergencies)	2,100,150	2,050,191	2,293,882	+193,732	+243,691
43150 HOWARD UNIVERSITY					
43200 Academic Program.....	202,567	202,431	202,431	-136	---
43250 Endowment Program.....	3,464	3,600	3,600	+136	---
43300 Howard University Hospital.....	28,946	28,946	28,946	---	---
43350 Total, Howard University.....	234,977	234,977	234,977	---	---
43400 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS(CHAFL)..	461	461	461	---	---
43450 HBCU CAPITAL FINANCING PROGRAM					
43460 HBCU Federal Administration.....	354	354	354	---	---
43470 HBCU Loan Subsidies.....	10,000	20,228	20,228	+10,228	---
43480 Total, HBCU Capital Financing Program.....	10,354	20,582	20,582	+10,228	---
43500 INSTITUTE OF EDUCATION SCIENCES (IES)					
43600 Research, development and dissemination.....	167,196	224,196	199,196	+32,000	-25,000
43620 Statistics.....	98,521	108,521	108,521	+10,000	---
43650 Regional Educational Laboratories.....	67,569	70,650	70,650	+3,081	---
43720 Research in special education.....	70,585	70,585	70,585	---	---
43725 Special education studies and evaluations.....	9,460	11,460	11,460	+2,000	---
43730 Statewide data systems.....	65,000	65,000	65,000	---	---
43735 Public Law 111-5 (emergency).....	250,000	---	---	-250,000	---
43750 Assessment:					
43800 National Assessment.....	130,121	130,121	130,121	---	---
43850 National Assessment Governing Board.....	8,723	8,723	8,723	---	---
43900 Subtotal, Assessment.....	138,844	138,844	138,844	---	---
=====					
44050 Total, IES.....	867,175	689,256	664,256	-202,919	-25,000
44051 Total, IES (excluding emergencies).....	617,175	689,256	664,256	+47,081	-25,000
44100 DEPARTMENTAL MANAGEMENT					
44150 PROGRAM ADMINISTRATION					
44160 Salaries and Expenses.....	428,082	448,300	444,000	+15,918	-4,300
44170 Building Modernization.....	5,400	8,200	8,200	+2,800	---
44181 Total, Program administration.....	433,482	456,500	452,200	+18,718	-4,300
44200 OFFICE FOR CIVIL RIGHTS.....	96,826	103,024	103,024	+6,198	---
44250 OFFICE OF THE INSPECTOR GENERAL.....	54,539	60,053	60,053	+5,514	---
44255 Public Law 111-5 (emergency).....	14,000	---	---	-14,000	---
44300 Total, Departmental management.....	598,847	619,577	615,277	+16,430	-4,300
44301 Total, Dept. management (excluding emergencies)	584,847	619,577	615,277	+30,430	-4,300
44320 MANDATORY PELL GRANTS (Public Law 111-5) (emergency)...	643,000	831,000	831,000	+188,000	---
=====					
44500 Total, Title III, Department of Education.....	163,914,834	68,608,020	68,590,182	-95,324,652	-17,838
44550 Current Year.....	(142,008,834)	(46,702,020)	(46,684,182)	(-95,324,652)	(-17,838)
44560 FY 2011.....	(21,906,000)	(21,906,000)	(21,906,000)	---	---
44562 Total, Title III (excluding emergencies).....	66,507,834	67,777,020	67,759,182	+1,251,348	-17,838
44600 1/ Budget request reflects current law per the					
44601 Congressional Budget Office. The proposed Budget					
44604 request is to change the Pell Grant program to					
44605 mandatory and includes a request of \$1,801,809,000					

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		FY 2009		FY 2010		H.R. 3293		H.R. 3293 vs.	
		Comparable		Request		Comparable		Request	
44650	TITLE IV - RELATED AGENCIES								44650
44885	COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR								44885
44890	SEVERELY DISABLED.....	5,094		5,396		5,396	+302	---	44890
44900	CORPORATION FOR NATIONAL AND COMMUNITY SERVICE								44900
44905	OPERATING EXPENSES								44905
44910	Domestic Volunteer Service Programs:								44910
44950	Volunteers in Service to America (VISTA).....	96,050		97,932		97,932	+1,882	---	44950
44952	Public Law 111-5 (emergency).....	65,000		---		---	-65,000	---	44952
45050	National Senior Volunteer Corps:								45050
45100	Foster Grandparents Program.....	108,999		110,996		110,996	+1,997	---	45100
45150	Senior Companion Program.....	46,144		46,904		46,904	+760	---	45150
45200	Retired Senior Volunteer Program.....	58,642		63,000		63,000	+4,358	---	45200
45300	Subtotal, Senior Volunteers.....	213,785		220,900		220,900	+7,115	---	45300
45400	Subtotal, Domestic Volunteer Service Programs...	374,835		318,832		318,832	-56,003	---	45400
45401	Subtotal, Domestic Volunteer (excl. emergencies)	309,835		318,832		318,832	+8,997	---	45401
45415	National and Community Service Programs:								45415
45430	AmeriCorps State and National Grants.....	271,196		372,547		331,547	+60,351	-41,000	45430
45431	Public Law 111-5 (emergency).....	89,000		---		---	-89,000	---	45431
45432	Disability Placement Funds.....	---		5,000		5,000	+5,000	---	45432
45435	Innovation, assistance, and other activities.....	18,893		65,500		40,500	+21,607	-25,000	45435
45440	Evaluation.....	3,891		6,000		6,000	+2,109	---	45440
45445	National Civilian Community Corps.....	27,500		26,300		26,300	-1,200	---	45445
45450	Learn and Serve America.....	37,459		39,500		39,500	+2,041	---	45450
45455	State Commission Administrative Grants.....	11,790		16,000		17,000	+5,210	+1,000	45455
45457	Training and Technical Assistance.....	---		8,000		7,500	+7,500	-500	45457
45470	Subtotal, National & Community Service Programs.	459,729		538,847		473,347	+13,618	-65,500	45470
45471	Subtotal, Natl Com Svce Prog (excl emergencies)	370,729		538,847		473,347	+102,618	-65,500	45471
45472	Total, Operating expenses.....	834,564		857,679		792,179	-42,385	-65,500	45472
45474	Total, Operating expenses (excl. emergencies)...	680,564		857,679		792,179	+111,615	-65,500	45474
45475	National service trust.....	131,075		195,637		178,214	+47,139	-17,423	45475
45476	Public Law 111-5 (emergency).....	40,000		---		---	-40,000	---	45476
45477	Salaries and expenses.....	71,715		88,000		80,923	+9,208	-7,077	45477
45478	Public Law 111-5 (emergency).....	6,000		---		---	-6,000	---	45478
45480	Office of the Inspector General.....	6,512		7,700		7,700	+1,188	---	45480
45485	Public Law 111-5 (emergency).....	1,000		---		---	-1,000	---	45485
45490	Total, Corp. for National and Community Service.	1,090,866		1,149,016		1,059,016	-31,850	-90,000	45490 UA
45491	Total, Corporation (excluding emergencies).....	889,866		1,149,016		1,059,016	+169,150	-90,000	45491 UA
45500	CORPORATION FOR PUBLIC BROADCASTING:								45500
45550	FY 2012 (current) with FY 2011 comparable.....	430,000		440,000		440,000	+10,000	---	45550
45600	FY 2011 advance with FY 2010 comparable (NA).....	(420,000)		(430,000)		(430,000)	(+10,000)	---	45600
45650	FY 2010 advance with FY 2009 comparable (NA).....	(400,000)		(420,000)		(420,000)	(+20,000)	---	45650
45690	Fiscal Stabilization Grants, current funded.....	---		---		40,000	+40,000	+40,000	45690
45700	Digitalization program, current funded.....	34,591		36,000		36,000	+1,409	---	45700
45725	Interconnection, current funded.....	26,642		25,000		25,000	-1,642	---	45725
45750	Subtotal, FY 2010 appropriation.....	61,233		61,000		101,000	+39,767	+40,000	45750 UA
45850	FEDERAL MEDIATION AND CONCILIATION SERVICE.....	45,476		46,303		47,000	+1,524	+697	45850
45900	FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.....	8,653		9,858		9,858	+1,205	---	45900
45950	INSTITUTE OF MUSEUM AND LIBRARY SERVICES.....	274,840		265,556		275,688	+848	+10,132	45950
46000	MEDICARE PAYMENT ADVISORY COMMISSION.....	11,403		11,800		11,800	+397	---	46000
46050	NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE.....	---		---		---	---	---	46050
46100	NATIONAL COUNCIL ON DISABILITY.....	3,206		3,271		3,271	+65	---	46100 UA
46200	NATIONAL LABOR RELATIONS BOARD.....	262,595		283,400		283,400	+20,805	---	46200
46250	NATIONAL MEDIATION BOARD.....	12,992		13,434		12,992	---	-442	46250
46300	OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.....	11,186		11,712		11,712	+526	---	46300
46350	RAILROAD RETIREMENT BOARD								46350
46400	Dual Benefits Payments Account.....	72,000		64,000		64,000	-8,000	---	46400
46450	Less Income Tax Receipts on Dual Benefits.....	-5,000		-3,000		-3,000	+2,000	---	46450
46500	Subtotal, Dual Benefits.....	67,000		61,000		61,000	-6,000	---	46500
46550	Federal Payment to the RR Retirement Account.....	150		150		150	---	---	46550 M
46600	Limitation on Administration.....	105,463		109,073		109,073	+3,610	---	46600
46650	Inspector General.....	7,806		8,186		8,186	+380	---	46650

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----				
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
46700	SOCIAL SECURITY ADMINISTRATION					46700
46750	Payments to Social Security Trust Funds.....	20,406	20,404	20,404	-2	--- 46750 M
47150	SUPPLEMENTAL SECURITY INCOME					47150
47200	Federal benefit payments.....	42,027,000	46,602,000	46,602,000	+4,575,000	--- 47200 M
47250	Beneficiary services.....	3,000	49,000	49,000	+46,000	--- 47250 M
47300	Research and demonstration.....	35,000	49,000	49,000	+14,000	--- 47300 M
47350	Administration.....	3,206,537	3,442,000	3,442,000	+235,463	--- 47350
47400	Subtotal, SSI program level.....	45,271,537	50,142,000	50,142,000	+4,870,463	--- 47400
47450	Less funds advanced in prior year.....	-14,800,000	-15,400,000	-15,400,000	-600,000	--- 47450 M
47500	Subtotal, regular SSI current year.....	30,471,537	34,742,000	34,742,000	+4,270,463	--- 47500
47700	New advance, 1st quarter, FY 2011.....	15,400,000	16,000,000	16,000,000	+600,000	--- 47700 M
47710	Total, SSI program.....	45,871,537	50,742,000	50,742,000	+4,870,463	--- 47710
47750	LIMITATION ON ADMINISTRATIVE EXPENSES					47750
47800	OASDI Trust Funds.....	5,200,463	5,592,200	5,592,200	+391,737	--- 47800
47850	HI/SMI Trust Funds.....	1,876,000	2,106,000	2,106,000	+230,000	--- 47850
47900	Social Security Advisory Board.....	2,000	2,300	2,300	+300	--- 47900
47950	SSI.....	2,989,037	3,100,000	3,100,000	+110,963	--- 47950
47955	Workload Processing (PL 111-5) (emergency).....	500,000	---	---	-500,000	--- 47955
47956	National Support Center (PL 111-5) (emergency)....	500,000	---	---	-500,000	--- 47956
48000	Subtotal, regular LAE.....	11,067,500	10,800,500	10,800,500	-267,000	--- 48000
48001	Subtotal, regular LAE (excluding emergencies)....	10,067,500	10,800,500	10,800,500	+733,000	--- 48001
48002	Additional Program Integrity Funding:					48002
48003	OASDI Trust Funds.....	22,500	143,000	143,000	+120,500	--- 48003
48004	SSI.....	217,500	342,000	342,000	+124,500	--- 48004
48005	Subtotal, additional CDR funding.....	240,000	485,000	485,000	+245,000	--- 48005
48020	User Fees:					48020
48040	SSI User Fee activities.....	145,000	160,000	160,000	+15,000	--- 48040
48050	SSPA User Fee Activities.....	1,000	1,000	1,000	---	--- 48050
48060	Subtotal, User fees.....	146,000	161,000	161,000	+15,000	--- 48060
48100	Total, Limitation on Administrative Expenses....	11,453,500	11,446,500	11,446,500	-7,000	--- 48100
48101	Total, LAE (excluding emergencies).....	10,453,500	11,446,500	11,446,500	+993,000	--- 48101
48450	OFFICE OF THE INSPECTOR GENERAL					48450
48500	Federal Funds.....	28,000	29,000	29,000	+1,000	--- 48500
48505	Public Law 111-5 (emergency).....	2,000	---	---	-2,000	--- 48505
48550	Trust Funds.....	70,127	73,682	73,682	+3,555	--- 48550
48600	Total, Office of the Inspector General.....	100,127	102,682	102,682	+2,555	--- 48600
48601	Total, OIG (excluding emergencies).....	98,127	102,682	102,682	+4,555	--- 48601
48750	Adjustment: Trust fund transfers from general revenues	-3,206,537	-3,442,000	-3,442,000	-235,463	--- 48750
48800	Total, Social Security Administration.....	54,239,033	58,869,586	58,869,586	+4,630,553	--- 48800
48850	Federal funds.....	47,067,943	50,952,404	50,952,404	+3,884,461	--- 48850
48900	Current year.....	(31,667,943)	(34,952,404)	(34,952,404)	(+3,284,461)	--- 48900
48950	New advances, 1st quarter.....	(15,400,000)	(16,000,000)	(16,000,000)	(+600,000)	--- 48950
49000	Trust funds.....	7,171,090	7,917,182	7,917,182	+746,092	--- 49000
49010	Total, SSA (excluding emergencies).....	53,237,033	58,869,586	58,869,586	+5,632,553	--- 49010
49100	Total, Title IV, Related Agencies.....	56,636,996	61,348,741	61,309,128	+4,672,132	-39,613 49100
49150	Federal Funds.....	49,341,234	53,302,500	53,262,887	+3,921,653	-39,613 49150
49200	Current Year.....	(32,308,234)	(36,862,500)	(36,822,887)	(+4,514,653)	(-39,613) 49200
49250	FY 2011 Advance.....	(15,400,000)	(16,000,000)	(16,000,000)	(+600,000)	--- 49250
49300	FY 2012 Advance.....	(430,000)	(440,000)	(440,000)	(+10,000)	--- 49300
49350	Trust Funds.....	7,295,762	8,046,241	8,046,241	+750,479	--- 49350
49351	Total, Title IV (excluding emergencies).....	55,433,996	61,348,741	61,309,128	+5,875,132	-39,613 49351

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION AND RELATED AGENCIES APPROPRIATIONS - FY 2010
(Amounts in thousands)

		----- H.R. 3293 vs. -----				
		FY 2009 Comparable	FY 2010 Request	H.R. 3293	Comparable	Request
49640	RECAP					49640
49760	Mandatory, total in bill.....	523,793,396	582,823,383	582,888,383	+59,094,987	+65,000 49760
49780	Less advances for subsequent years.....	-89,956,038	-105,784,382	-105,784,382	-15,828,344	--- 49780
49800	Plus advances provided in prior years.....	84,930,669	89,956,038	89,956,038	+5,025,369	--- 49800
49820	Total, mandatory, current year.....	518,768,027	566,995,039	567,060,039	+48,292,012	+65,000 49820
49860	Discretionary, total in bill.....	288,042,394	164,588,880	166,471,410	-121,570,984	+1,882,530 49860
49880	Less advances for subsequent years.....	-24,799,000	-24,809,000	-24,809,000	-10,000	--- 49880
49900	Plus advances provided in prior years.....	21,269,000	24,789,000	24,789,000	+3,520,000	--- 49900
49920	Subtotal, discretionary, current year.....	284,512,394	164,568,880	166,451,410	-118,060,984	+1,882,530 49920
49960	Discretionary Scorekeeping adjustments:					49960
50100	SSI User Fee Collection.....	-146,000	-161,000	-161,000	-15,000	--- 50100
50111	Medicaid moratoria (PL 110-252) (emergency).....	805,000	---	---	-805,000	--- 50111
50136	Average Weekly Insured Unemployment (AWIU) Conting	492,492	50,000	50,000	-442,492	--- 50136
50202	Low Income Home Energy Assistance (PL 110-329)....	2,320,328	---	---	-2,320,328	--- 50202
50203	(emergency).....	2,779,672	---	---	-2,779,672	--- 50203
50206	Academic Competitiveness & SMART grants (rescission)	-887,000	-511,000	-511,000	+376,000	--- 50206
50210	Excess H-1B Fee Revenue (rescission).....	-97,000	-30,000	-65,000	+32,000	-35,000 50210
50228	Trade adjustment assistance extension (PL 110-329)	16,000	---	---	-16,000	--- 50228
50243	Medicare eligible accruals (permanent, indefinite).	34,778	35,590	35,590	+812	--- 50243
50246	BARDA transfer (from Bioshield to PHSSEF).....	-412,000	-1,569,000	-1,569,000	-1,157,000	--- 50246
50255	Ticket to work (rescission).....	-21,500	---	---	+21,500	--- 50255
50275	Less emergency appropriations.....	-136,649,672	-831,000	-831,000	+135,818,672	--- 50275
50280	Total, discretionary.....	152,747,492	161,552,470	163,400,000	+10,652,508	+1,847,530 50280
50285	Adjustment to balance with 2009 enacted.....	-492,492	---	---	+492,492	--- 50285
50291	Total, discretionary (FY 2009 enacted).....	152,255,000	161,552,470	163,400,000	+11,145,000	+1,847,530 50291
50320	Grand total, current year (incl FY 2009 comparable)...	671,515,519	728,547,509	730,460,039	+58,944,520	+1,912,530 50320
50325	Grand total, current year (incl FY 2009 enacted).....	671,023,027	728,547,509	730,460,039	+59,437,012	+1,912,530 50325

Mr. TIAHRT. I thank the chairman. It's a pleasure to be here with you this morning as we continue to consider the fiscal year 2010 Labor, HHS, and Education Appropriations bill.

First, I'm frustrated by my role here today. Instead of being able to perform my duties as a ranking member as I've done in the past, my role requires that I protest the way debate is suppressed on this bill. It is necessary, but not something that I relish.

Usually the role of the ranking member on the Appropriations Committee, as well as the authorizing committees, is to present the views of the minority and to work with the majority in crafting a bill that combines the best ideas of both sides of the aisle. We do this through the amendment process. As the ranking member, I have not always agreed with what my colleagues on the other side of the aisle have proposed, but I always defended their right to offer their amendments.

Mr. Chairman, I do want to thank Chairman OBEY for reaching out to me during the drafting of this bill. He is a passionate advocate for many of the programs funded in this bill, and he has clearly put a great deal of thought into this bill before us. I also want to credit him for trying to put together a bill that Members could support by including many national priorities; yet, due to the wholly unsustainable allocation on top of an already unsustainable allocation in the stimulus bill for these agencies, we could not agree on the final product.

I also want to thank the staff for their dedication to this important bill, on the majority side, Cheryl Smith, Susan Quantius, Nicole Kunko, Stephen Steigleder, Albert Lee, Mike Gentilly, Amy Battaglia and Devon Klein; on my side, Stephanie Myers, Steve Crane, of course AmyClaire Brusch from my personal office staff.

One of the most important duties of this House, as directed by article I, section 9 of the Constitution, is to determine the financial obligations of the Federal Government, the power of the purse, as we say. This is, indeed, what we are here to do today, with the Labor-HHS-Education Appropriations bill. Yet instead of being able to have a healthy discussion, as the Founders intended with this representative body, Members, both Republican and Democrat, I note, are shut out of the process and only permitted to speak for a short time without the ability to offer alternatives.

Several of my colleagues and I submitted amendments to the Rules Committee for consideration on the floor today. I think they are substantive amendments that deal with the public policy issues our constituents sent us here to debate. Even though they met the requirements for consideration on an appropriations act, the Democrat leadership decided to report a gag rule that severely limits our ability to offer them.

When we first started down this road to ruin with respect to the autocratic

rules that govern debates on appropriations bills, we were told that these rules were required because Republicans were "filibustering by amendment" and because we would not commit to time limits. We knew at the time that those arguments were mere fig leaves, and over the past few weeks, the evidence has become crystal clear.

We were told that we had to finish our work quickly, so time agreements were essential. Next, we were told that we had done nothing to limit our amendments. Strangely, when we were in the majority, we didn't limit amendments to appropriations bills. Why? Because we believed then, as we do now, that Members have not only the right, but the constitutional responsibility, to represent their constituents.

Even so, while we were stating our continued concern about the restrictive rules by which we have been forced to abide for this bill, we reached out in good faith. Instead of offering upwards towards 50 amendments, House Republicans, in good faith, limited the amendments request. This year, there were fewer Republican amendments offered on this very substantial bill than were offered under an open rule just a few years ago.

Republicans offered 12—only 12—amendments. Did some of those amendments pose potentially difficult votes for Democrats? I guess so.

We had an amendment by Mr. CARTER and Mr. BURTON, which would have been in order under an open rule, to prohibit the Democrats from killing the largest student loan program in operation today. Is it permitted to be offered today? No.

We had an amendment by Mr. LEWIS, the ranking Republican of the Appropriations Committee, again in order under the standing rules of the House if we were operating under the procedures that allowed the American people full representation. The amendment would have prohibited the Secretary of Health and Human Services from starting a government-run health insurance plan. The amendment was ruled by the Parliamentarians to be permissible under the standing House rules. Is Mr. LEWIS going to offer his amendment today? No. Why not? The Democrats don't want to vote on socialized medicine, probably because their leadership and their constituents don't agree how they should vote.

As ranking Republican on this subcommittee, I had an amendment that would have done nothing other than codify the nonbinding language the majority included in the so-called stimulus bill with respect to using comparative effectiveness research as an excuse to ration health care. Was I permitted to offer it? No.

As I travel through the State of Kansas and talk to the people who sent me here, it is clear that most Kansans, and I think most Americans, are wondering if this Congress and this administration understand the long-term ramifications of the massive spending spree

we've been on since January. The stimulus bill we passed spent nearly \$800 billion, money we don't have. When you add the interest that we'll have to pay to the Chinese who buy our debt, the cost is going to exceed \$1 trillion.

And what do we have to show for that exercise? Unemployment has hit 9.5 percent nationwide and is expected to rise above 10 percent. Some States are already well over 10 percent unemployment. If this is recovery, then it is a "jobless recovery." Well, who does that help?

We have massive amounts of money spent on programs, many funded by the agencies in this bill that are maybe good in the long term but have absolutely nothing to do with bringing this country out of the economic crisis we're facing today. What it did do is create a mountain of spending that will hit next year and create the cliff effect.

At the time, the President and the Democrats in the majority claimed this was one-time spending that would drop off after 2011. I'd like to believe that's true, because if it isn't, this bill will cost about \$220 billion, or \$60 billion above where we are today, which is about a 40 percent increase.

I suppose that would be okay if we had an extra \$60 billion laying around in the Treasury, although I'd prefer to give it back to those who worked so hard to earn it. But the fact is, we do not have this money. It is borrowed. It is borrowed from the American people. It is borrowed from their future earnings, and it is borrowed from foreign governments like China.

Next week we will consider the health reform bill that looks like it's going to cost well over \$1 trillion, and it is full of provisions that instruct the Congressional Budget Office to overlook the spending.

We had a budget submitted to us by the White House this year that, for the first time, exceeded \$3.5 billion in total spending. The White House is apparently so worried about letting the American people know how much of their money is being spent that they have delayed the traditional midyear budget review, which is expected to show a historic deficit. It's delayed until next month when Congress has left Washington and while many Americans are on vacation—well, those that can afford it this year, anyway.

I want to make clear to the American people what exactly we are voting on here today. It's \$163 billion in discretionary allocation and an \$11 billion increase from fiscal year 2009, but that is about a 7 percent increase. But the true cost to the American taxpayer has to include the \$126 billion that was allocated for those agencies in the stimulus act. So, in reality, these agencies have grown by \$135.3 billion, or a 93 percent increase over 2 years, 93 percent.

My colleagues and I were prepared, as is historically done in this body, to offer amendments to hold the spending to levels we can afford, even move from

some of the overfunded programs to the underfunded programs, such as special education, but as I have noted, we are prohibited by the Democrat leadership from doing so today.

In addition to the excessive spending in the bill, we have several other concerns. First and foremost, though the distinguished chairman has told us in committee that this bill has nothing to do with the health care reform bill the Democrat majority is crafting, the committee report for this bill that they are crafting includes language that tells a different story.

It acknowledges that this bill is setting the foundation for the implementation of health care reform, and it also acknowledges the stimulus does, as I argued then, "the committee continues the investments begun in the Recovery Act to expand the capacity of the health care system to handle the increased demand that will come from health care reform."

□ 1145

So, indeed, it is important for us to talk about health care reform proposals, how they will impact these agencies and, more importantly, how they will impact the American people. I do not think that there is a Member of this body who denies the importance of reforming our health care system. We have serious problems with regard to cost and access and rationing, even to a point where choice and quality will also be threatened.

My biggest concern with the Democrat proposals as intended is the rationing of health care. The Obama administration has begun to set the framework for rationing health care with comparative effectiveness research. Who is going to be affected most by this rationing and by using comparative effectiveness to do so. Unfortunately, it is those with the most to lose. Though they deny this program is intended to make coverage decisions based on cost, the government already does in Medicare and Medicaid and in TRICARE.

Forcing us into a public plan that rations health care is not what the American people want. What they need and want is medical decisions made by patients and their physicians, not unelected government bureaucrats. Congressional Democrats are actively campaigning for a nationalized health care proposal that includes more than \$800 billion in new tax increases. It's estimated that this plan will result in 4.7 million workers losing their jobs as a result of tax hikes on business.

Under the President's government-run health care plan, businesses will face further operating costs, jobs will be cut and, worst of all, Americans will be left with fewer choices and lower-quality health care. Having seen the failed results of the administration's so-called economic stimulus plan, the last thing Americans need is to have Democrat leaders nationalizing our health care system.

Reforms to the health care system are needed and Republicans have offered to work with the Democrats in creating a bipartisan solution. But so far our efforts have been ignored by Speaker PELOSI and President Obama. We have offered a plan to promote new jobs to enhance the growth in our economy that does not strangle the already faltering economy. Most importantly, any health care plan should offer Americans freedom through expanded access and increased quality.

My colleagues and I tried to offer amendments today that would have prevented the Department of Health and Human Services from using our tax dollars to implement policies that would ration care, that would have prevented a burden on small businesses and threaten jobs, that would have prevented an advisory board accountable to no one that determines health care payment policies, or that would have prevented Americans from being forced into a public plan instead of their private insurance.

These are extremely important protections that HHS is already moving towards doing, and more, with the stimulus funds as well as expected funds for next year. I assure the chairman and his leadership that our intent is not to be obstructionists, or to be dilatory. However we believe it is important to preserve the integrity of this body and have a full and open discussion on the funding levels in this bill.

Therefore, it was important for me to take time to explain at length to the American people why there is scant debate on this bill. We are not being silent. We're simply being gagged. In closing, I believe there is a better way to provide services included in this bill. I believe there are commonsense ways to provide health care to all Americans without rationing and without the cost of Americans losing their jobs. There's a way that increases access and keeps patients and doctors in control in health care. And I believe there's a way to rebuild our economy without borrowing money to do it.

But today we won't have access to these solutions. That debate, those votes were prevented by the majority. Because of that, the American people will suffer.

I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I rise to enter into a colloquy with the gentleman from Colorado and yield to Mr. POLIS.

Mr. POLIS. I want to thank the chairman for his committee's work on this bill and, in particular, his attention to the Energy Employees Occupational Illness Compensation Program. This bill provides the necessary resources to better serve seriously ill former nuclear energy workers, and we appreciate the committee's work to make that happen. We hope that this program will expand in the coming year and will serve more former nuclear energy workers in the process.

Mr. OBEY. I yield to Mr. PERLMUTTER.

Mr. PERLMUTTER. As we work with the Department of Labor on needed reforms, we hope that the committee will continue to work with us and OMB to ensure that this program continues to provide benefits to seriously ill individuals, and that the EEOICPA Ombudsman's Office continues to have the resources it needs to maintain its important oversight responsibilities over this program.

Mr. OBEY. I thank both gentlemen for your efforts on this issue. The committee will work with the gentlemen, the Department of Labor, and OMB, to ensure that this program continues to help deserving beneficiaries, and that the Ombudsman's Office continues to have the resources it needs to properly fulfill its oversight duties.

I reserve the balance of my time.

Mr. TIAHRT. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Michigan, a member of the Ways and Means Committee, Mr. CAMP.

Mr. CAMP. Mr. Chairman, I intend to vote against this bill, but I want to recognize and highlight one section, and that is ensuring workers continue to get promised regular and extended unemployment benefits and States are able to keep paying those benefits. Let's be clear why this provision is necessary. The Democrats' economic policy has resulted in record job loss, record deficits and none of the job creation they promised. But American workers should not pay for the mistakes and failures of the Democrats' so-called stimulus bill.

Just yesterday we reached yet another record in the number of American workers collecting unemployment checks instead of paychecks, and the Nation's unemployment rate is headed quickly to 10 percent and is already above 15 percent in my home State of Michigan.

Mr. Chairman, Americans can surely see the record unemployment, but they cannot see where the jobs are. The President and administration officials recently suggested their stimulus plan is working as intended and helping the economy recover. Well, it's not. The bill before us proves that. As the chart next to me shows, since President Obama was sworn into office, the Nation's public debt and unemployment combined, the Obama Misery Index, has risen by a shocking 40 percent, and that's before literally trillions of dollars in additional spending under the Democrats' stimulus, energy and health plans, and whatever higher unemployment lies ahead.

The bill reflects the continued failure of their economic policy to save or create millions of jobs they promised would flow quickly from their stimulus bill. Mr. Chairman, Republicans offered a plan that would have provided twice the jobs at half the cost. It was disappointing when it was rejected earlier this year, and the bill before us, in

which Congress is bailing out the Federal unemployment bailout fund for States, is yet another reminder of the failure of the bill Democrats wrote behind closed doors and forced through Congress.

Given the amendments, as the ranking member articulated, that were not allowed or not included, I can only hope that this bill comes back from the Senate improved. Mr. Chairman, we must help those who need help. But it would be nice if the Congress would provide them a job, not another unemployment check.

Mr. OBEY. I yield 1½ minutes to the distinguished gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. I want to thank Chairman OBEY and Ranking Member Tiahrt and their staffs for their hard work in crafting this bill. Overall, this is an excellent bill which includes increases for critical programs such as Pell Grants, NIH, family planning services, GEAR-UP, TRIO and after-school programs, just to name a few.

Despite the positive provisions before us, I'm disappointed that the bill eliminates the Safe and Drug Free School and Communities State Grants. The community-based coalitions in White Plains, Ossining, Larchmont, Port Chester and Ardsley, to name a few, are working tirelessly to reduce drug and alcohol use among young people. I hope I can work with the chairman to restore funding for this program as the bill moves through the process.

Despite this concern, the bill takes big steps towards addressing some of our Nation's most pressing challenges. I am proud to support it, and I encourage my colleagues to do the same.

Mr. TIAHRT. I yield as much time as he may consume to the gentleman from California, the ranking member of the Appropriations Committee, Mr. LEWIS.

Mr. LEWIS of California. Mr. Chairman, as we begin the 11th of 12 appropriations bills, let me congratulate DAVID OBEY, as well as Mr. TIAHRT, for their very fine work together. They're agreeing to disagree on many of the key issues here but, nonetheless, work very positively at the subcommittee level.

Mr. Chairman, the Labor-HHS spending bill we will consider today is an appropriations bill that involves a very significant level of funding. By now we all know how important it is to Chairman OBEY to complete each of the spending bills by the end of July. It's almost a badge of courage for him to go into the August recess saying, "I did my job; the House Appropriations Committee has completed its work."

To some extent, I know how he feels. On June 30, 2005, Mr. OBEY and I celebrated the passage of all of the fiscal year 2006 spending bills with our bipartisan staff just across the hall from the House Chamber. And for the record, each of those spending bills was considered on this floor under an open rule with unlimited opportunity for Mem-

bers of both parties to offer and debate amendments.

Today, the House is under different management and, clearly, we're on a different path. In 2005, there were 27 amendments offered on the House floor during consideration of the Labor-HHS bill. And it took a total of 14 hours over 2 days to complete our work. Today, only five amendments have been made in order, and we will conveniently complete our work in time for a late lunch.

Until today, every single floor amendment allowed by the majority on every spending bill considered thus far, they have been limited to 10 minutes of debate time. That is until now. Members on both sides of the aisle may be interested to know that the Rules Committee has generously allotted 20 minutes for the consideration of amendments today, an amendment to be offered by Chairman OBEY himself. Sadly, as other Members are shut out of the process time and time again, Chairman OBEY is an exception to the rule.

By this time next week the House will have passed each of its annual spending bills. Every Member of this body knows that the majority leadership has only been able to achieve its goal by pursuing a distorted road map, stifling any and all meaningful debate throughout the process. To me, it's a legislative sleight of hand that obliterates the rights of every American and undermines the very institution we all love.

A few years ago, a very talented baseball player, Barry Bonds, took a shortcut to break the home run record. This was a ball player with tremendous natural talent and great skills that, on its own, could have achieved greatness. But because he took the easy way out, he undermined his own credibility as well as the magnitude of that record-breaking performance. Barry Bonds felt then, as the majority leadership seems to feel today, that the end justifies the means. In the mind's eye of the public, Barry Bonds' achievement was illegitimate, and as an asterisk was placed next to his performance in the history books and even on the record-breaking home run ball. Barry Bonds never recovered and, I fear, neither will this committee or this Congress.

As this majority leadership continues to add to the mountain of debt on a daily basis, it's important that we remind the American people that each of the spending bills are being completed this year in much the same manner as Barry Bonds setting the home run record. The majority leadership is taking shortcuts to pass these bills, an achievement they apparently could not attain within the rules. As a result, the Rules Committee has become to Chairman OBEY what steroids became to Barry Bonds, not a ticket to the Hall of Fame, but merely the means to an end.

I do not hold all of my friends of the majority party responsible, for many of them feel as strongly as I do about an

open process. I believe most of my friends would prefer to return to the time-honored practices and traditions of our committee.

□ 1200

I know many of them have grown weary of the arm-twisting and of the overly partisan instructions to oppose every Republican amendment offered in our full committee.

I don't know if or when our committee will ever return to the old days, but I do know that, when the history of the fiscal year 2010 budget process is written, it will be noted with a Barry Bonds asterisk that these spending bills were completed under an entirely illegitimate process.

The lesson learned is this: To this majority leadership, the end is more important than the means, and sadly, it will take any shortcut necessary to win.

Mr. OBEY. I yield 1½ minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Chairman OBEY, I want to commend you for the very hard work that you put into this bill, which shows a strong commitment to America's children, seniors, families, and others most in need. In particular, I want to thank you for increasing funding for the NIH, CDC and SAMHSA.

When it comes to medical research, this bill moves our Nation forward. It provides \$500 million over the President's budget for the National Institutes of Health so the NIH can move us closer to the cures that we all wait for.

When it comes to public and preventative health, this bill moves our Nation forward. It provides increases to health professionals and to nursing education and to the very serious public health and national security crises posed by the H1A1, avian flu. This bill prepares us for that uncommon threat.

When it comes to mental health and substance abuse services, this bill moves us forward. In particular, Mr. Chairman, I want to thank you for funding a new initiative regarding the effects of the economic downturn on mental health, called the Community Resilience initiative. Through this funding, we are going to be able to design a health program that meets our public's mental health resilience needs at a time of economic downturn and of very strong public stress.

In my State of Rhode Island, with 12 percent unemployment and in a state of budget crisis, my people and our country's needs are much greater because of this pressure, not only on our economy but on the public at large in their personal lives.

For that, I want to thank you, Mr. Chairman, for these increases in funding.

Mr. TIAHRT. Mr. Chairman, might I inquire of how much time is left?

The CHAIR. The gentleman from Kansas has 8 minutes remaining. The gentleman from Wisconsin has 25 minutes remaining.

Mr. TIAHRT. I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, it is time to take a second look at Planned Parenthood. I respectfully ask Members to support the Pence amendment which will be offered later on.

Mr. Chairman, no child is safe in a Planned Parenthood clinic. That goes equally for the preborn child who is yearning to be born as well as for the 15-year-old pregnant girl being told she is entitled to a secret abortion, an abortion procured with neither her parents' knowledge or consent.

Each year, with poison pills or by dismemberment, Planned Parenthood aborts more than 305,000 unborn children. That's a quarter of all abortions performed in America—a staggering loss of children's lives that, years to date, now exceeds over 5 million dead babies all by just one organization.

Planned Parenthood aggressively lobbies and litigates against every modest restriction that has been proven to significantly reduce abortions. Planned Parenthood lobbies and litigates against women's right-to-know laws, waiting periods and parental involvement statutes, even though the latter has been shown to reduce abortions among teenage girls by between 19 and 31 percent. Planned Parenthood lobbies and litigates against prohibitions of taxpayer funding for abortions even though Planned Parenthood's own research shows that funding bans reduce abortion by between 20 and 35 percent. Millions of children live today because public funds weren't available to effectuate their demise. Yet Planned Parenthood aggressively seeks to compel taxpayer funding for abortion.

It is time, Mr. Chairman, to take a second look at Planned Parenthood. It is time to understand the irreparable harm Planned Parenthood is doing to the children of America, both born and unborn.

Mr. OBEY. I yield 1½ minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I would like to start by commending Chairman OBEY for his leadership and for his crafting of a fiscally responsible bill that meets the needs of America's children, families, seniors, and communities we live in for today and tomorrow.

This bill marks a new era in which Congress and the White House are working in partnership to invest in the health, education, workforce training, and success of all of our country's citizens. I would like to highlight some of the investments that are most important to my constituents in Minnesota.

The \$5.1 billion included in LIHEAP ensures that more than 7 million low-income households will have the money they need to keep warm this winter. The education increases in Head Start, IDEA, TRIO, and Pell Grants will help give our children a quality education and opportunities to attend and suc-

ceed in college. The \$3.8 billion for the Workforce Investment Act will help to retain our neighbors who have been hurt by these tough economic times. Lastly, the investments in the CDC and in the NIH will strengthen public health and health research, which are critical to keeping America healthy.

Families in Minnesota and across the United States need this bill. I strongly support this bill, and I urge my colleagues to support it as well.

Again, I want to commend Chairman OBEY and his staff for their extraordinary commitment to giving all of America's children and families the opportunity to be healthy, secure and successful.

Mr. TIAHRT. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW), who is also a member of the Appropriations Committee.

Mr. CRENSHAW. I thank the gentleman for yielding.

Mr. Chairman, as a member of this committee, I certainly want to commend Chairman OBEY and Ranking Member TIAHRT for bringing this bill to the floor today.

Like a lot of legislation, there are some good things in this bill, and there are some things that are not so good. One of the best things, I believe, is the money that we are appropriating to the National Institutes of Health, some \$31 billion, which is about a 3 percent increase over last year. I think the research that they do is efficient. It's cost-effective. They find cures for disease. They help prevent disease. I think we'd all agree that the money we spend today can save us billions of dollars tomorrow.

One of the areas to which this money is going is the area called "inflammatory bowel disease." You don't hear much about it. It's a terrible disease. It affects about 1.5 million people in America today. About 10 percent of them are young people. We don't know what causes it, and we don't know how to cure it, but the money that is part of this NIH today is going to really make some major breakthroughs because so little is known.

It is one of the most exciting areas in scientific research, so it's my hope, as this money continues to go to this area, that one day we will be able to find a cure and will be able to beat this terrible disease.

Mr. OBEY. I yield 1½ minutes to the distinguished gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman.

Mr. Chairman, there have been a lot of people saying: Why are we rushing? Why aren't there more amendments? Why isn't there more debate?

We have an obligation to the American people to get these budgets done. The fiscal year starts at the end of October, and we need to get our job done.

I want to commend Chairman OBEY for making sure that we are going to get all of these House bills done before

we leave in August. Given all of the tactics that our friends on the other side have used, I think it's going to be quite an accomplishment. It's important for us to remember that our friends on the other side had control of the House, had control of the Senate, had control of the White House, had control of the Supreme Court, had a chance to implement their health care policy, their energy policy and their overall economic policy. That's the world that we're living in right now. They had control of everything, and we're trying to fix it.

The \$1,100 increase in gas prices per family over the course of the last 10 years and the increase in health care, going up 120-some percent over the last decade for small businesses—that's a tax. We're trying to fix it. If we do nothing, gas prices are going to continue to go up; energy costs are going to continue to go up; health care costs are going to continue to go up. We are trying to rein this in, and we are trying to fix it. I think this bill does a lot of what we need to do.

This eliminates 28 programs; it cuts \$1.3 billion out of the bill; it funds community health clinics so that 17 million patients can have some access to health care; it increases the Pell Grants since Democrats have had an opportunity to move in; there is a \$1,500 increase, a 37 percent increase, in charter schools.

The CHAIR. The time of the gentleman has expired.

Mr. OBEY. I yield the gentleman an additional 30 seconds.

Mr. RYAN of Ohio. There is \$256 million for helping start up 1,300 new charter schools; there are investments into the NIH for cancer research.

These are the investments that we need to make. This is the situation we've been given, and these are the cards we've been dealt. I think this bill goes a long way in trying to clean up this mess. It's not going to happen overnight. It took 10 years of Republican leadership to get us in the worst economic situation we've been in since the Great Depression. It's going to take a few years for us to get out. The current system cannot continue. This bill, the energy bill and the health care reform are all opportunities for us to change the direction in which we're going.

Mr. TIAHRT. Mr. Chairman, apparently, the gentleman from Ohio has overlooked the fact that every spending bill that has made it to the President's desk since 2007 has been originated by the Democrat-controlled House. So I would like to correct that.

May I inquire as to how much time remains in this debate?

The CHAIR. The gentleman from Kansas has 4½ minutes remaining. The gentleman from Wisconsin has 21½ minutes remaining.

Mr. TIAHRT. I will yield myself such time as I might consume.

Mr. Chairman, sometimes there is convenient memory loss about what

has happened in the economy recently. Since 2007, the House Appropriations Committee, as well as the full House, have been controlled by Democratic leadership. The bills that were voted for in the bailout last year were voted for by the current President, then-Senator Obama. So, to think that the economic woes of today were imposed upon the Democratic-controlled House by Republicans is a stretch of even the wildest imagination. To assume that the Republicans in the House controlled the Supreme Court at any time in the history of this country is a stretch of the imagination.

The bill before us today, when added with the stimulus bill, is a 93 percent increase in spending. It's a tremendous amount of money, and it's money that is not designed to bring jobs back to America but merely to continue existing programs and even to create new programs that have not gone through the hearing process, the process of developing, of changing and of molding these programs, so that they are fully productive for the American people, whether it's in health care or in education or in labor.

So I think that it's important for us to realize that this bill has a lot of money which is money we don't have, excessive money, and it should have had the opportunity, through the amendment process, to be brought back to levels that we can afford, to levels that would not have imposed an excessive amount of borrowing for the American people, because that borrowing leads to requirements for not only ourselves but for future Americans, who work hard for their money, to then pay money for programs that have already existed in the past.

So, Mr. Chairman, I would say that this process has been, I think, restricted in an unnecessary fashion, and because of that, there are many people who will not be able to support this legislation.

I want to, once again, acknowledge that the chairman of the Appropriations Committee has spent a lot of time and a lot of effort, and has looked deeply into the details of this bill. I think that this bill is an encompassment of his passion for serving, and he has done a very good job on the details and on the work that he has put into this bill. I want to acknowledge that publicly and thank him for that effort. I wish that the spending levels were less so that I could also join with him in supporting this measure, but I will not be able to do so.

In the future, as we move forward, I hope that, next year, we bring the spending levels to an area that is acceptable and that continues these very necessary programs, because much of this bill is work that needs to be done in America. I am looking forward to working with the chairman on this bill next year to, hopefully, achieve those levels.

With that being said, I yield back the balance of my time.

□ 1215

Mr. OBEY. Mr. Chairman, I recognize myself for the remainder of the time.

Mr. Chairman, before I get into the specifics of the bill, I would like to take a couple of minutes to respond to some of the criticisms that have been made about the process by which this bill has come to the floor.

Much has been made of the fact that this bill did not come to the floor under an open rule. There is nothing really new about that. On at least 25 occasions during the Republican control of this House, appropriation bills came to the floor without being under an open rule. But I want to specifically address the so-called "outrage" that has occurred by our supposedly denying Republican amendments the right to get a vote.

Here are the facts: Republican Members of the House offered 14 amendments. They filed 14 amendments with the Rules Committee. Four of those amendments were not in order under the rules. A point of order could have been lodged against all of them, so they were out. Three more were on subjects that belong in the health care debate or the health care reform debate, which is now working its way through the Congress.

I think what happened is that some Members on the other side of the aisle mistook me for HENRY WAXMAN and thought we were in the Energy and Commerce Committee. Now, I don't think I look like him. I don't think HENRY would want to look like me. But somehow there is confusion.

So our Republican friends have brought a number of amendments, three of them, to this bill on subjects such as forbidding us from having a public option in the health care reform bill. That's not under the jurisdiction of this committee. All that would do is add to the confusion. So those amendments were rejected by the Rules Committee.

Then our Republican friends offered another amendment which dealt with the issue of indirect student loans, whether that program should expire or not. That is an issue which was decided by the Education and Labor Committee earlier this week. It is an authorization. It's not an appropriation issue. So it's decided on that bill.

So that takes us from the Republicans' 14 initial amendments down to five amendments. We made in order four of those five amendments. The one amendment that we did not make in order that was remaining was an amendment that would have added a billion dollars to a program that we already added \$12 billion to earlier this year in the recovery package. We put \$12 billion in increases into special education. In the 12 years that the Republicans controlled this place, in total they only added \$8.5 billion to that program. So we poured money into that program. And given the competition on the part of all other programs for taxpayers' money, I think the Rules Com-

mittee justifiably felt that that amendment was a little outlandish, so we didn't vote on it.

Now, if people want to make a Federal case out of that history, be my guest.

The second thing we've heard today is considerable bashing—in addition to bashing of the majority party of the House, we've heard considerable bashing of President Obama. In terms of the bashing of the majority, we were told a bit earlier by one of the speakers over there that we had been partisan in the full committee and had rejected every Republican amendment. That's nonsense. We accepted 57 Republican amendments on all of the appropriation bills that went through the committee this year. I hardly think that that is being partisan.

I would also point out that the bailout, which has been so roundly denounced by several speakers today, that bailout was originally proposed and asked for by President Bush. It was voted down the first time in this House. It was voted up the second time after credit markets further collapsed. And both Mr. Obama and Mr. MCCAIN, in an act of patriotism, rose above their partisan and electoral interests and supported Bush on that issue even though it was unpopular.

Enough said on that score.

I would also say that for those who are screaming about the President's economic recovery efforts, the President has been in office a very few short months. The Recovery Act passed less than 5 months ago. It is designed to be a 30-month program to try to limit to some degree the job loss in this economy. We were losing 700,000 jobs a month in the last 3 months of the Bush administration. We've now seen that job loss decline to about 400,000 jobs a month. That's not good enough in anybody's eyes, but it is a whole lot better than was happening last year. And it's going to take, frankly, a long time to repair the damage done by 8 years of previous government policy.

So I would prefer to set those issues aside. I don't think it's particularly productive to engage in partisan bashing.

I should correct one statement that I made. I said that we accepted 57 amendments in committee. We accepted 57 amendments in committee and on the floor. Let me correct that statement.

Having gotten rid of all of that underbrush, I would like to now turn to what is in this bill and why I believe the House ought to support it.

As I said earlier, this government, both under President Bush and under President Obama, has pumped a lot of money into what I would call the elite sectors of the economy: the financial sectors of the economy, the banking system, et cetera, and Wall Street. And now this bill is the main appropriation bill that deals with the economic problems and the health problems of every other American, and I want to walk

you through just a bit what this bill does.

First of all, I think we need to understand this bill is fiscally responsible. The committee's allocation cut a total of \$10 billion from the President's discretionary spending request, and in this bill, we have a \$52 million reduction from President Obama's request. We have eliminated or cut some 44 programs, saving \$1.3 billion.

And I would point out that the largest single problematic increase in the bill is a \$993 million increase for the Social Security Administration to dramatically cut back the backlog on disability claims facing that agency. And I think no one would argue those funds are wasteful.

After we account for that increase for Social Security, that leaves us with a 1.7 percent increase for the rest of the bill. After you deduct for inflation, it means this bill, in real terms, is three-tenths of 1 percent above last year. That is hardly profligate.

In addition, a priority for this bill is \$1.1 billion which we include for activities to reduce improper payments, fraud, and abuse in the Department of Labor and Health and Human Services and in the Social Security Administration. That is a 50 percent increase in enforcement money to go after fraud and waste and abuse over the previous year. It's been estimated by the budget office that that action could result in over \$48 billion in savings and increased revenue for picking up legitimate revenues that would have otherwise been lost.

With respect to the Department of Health and Human Services, this bill increases that agency by about 3.3 percent. Again, hardly a profligate increase.

Now, we're all talking about our desire to pass health care reform. We recognize in the committee that if we're going to do that, we have to increase the capacity in the health care system, and so we are appropriating nearly \$3 billion to do just that. We're providing \$2.2 billion for community health centers; \$530 billion to expand training programs in the nursing field; \$135 million for a career pathway innovation fund to again train nurses, medical technicians, and others in the health care industry; \$75 million additional funding for State health access grants to help States transition to a health reform program; and \$65 billion for State high-risk insurance pools. We've also increased the National Institutes of Health funding by \$500 million.

I've said many times on this House floor, when I go home, I've never had anybody in my life come up to me and say, "Hey, Obey, why don't you in Washington get your act together and cut cancer research?" and yet that is what the previous President and the previous Congress did. They eliminated over 900 medical research grants at the National Institutes of Health. We don't do that. We add a significant amount of money to try to beef up our medical research across the board.

We also added some \$200 million for an initiative begun by former Treasury Secretary O'Neill in Pennsylvania to try to get hospitals to bring under control their life-threatening hospital infection problem which is plaguing the entire country.

With respect to senior nutrition and other services, we provided \$1.5 billion. We have rejected the administration's efforts to cut \$1.5 billion out of basic grants for Title I. We've restored that funding.

We have provided a large increase, \$446 million, for the administration's top priority, which is the Teacher Incentive Fund, and \$500 million for Pell Grants.

The Department of Labor, more than half of the increase in that department is simply to help States to process unemployment compensation claims. We also have a \$271 million program in this bill to strengthen our ability to help veterans transition to civilian workforce employment.

And I think, Mr. Chairman, that's about all I want to say about the numbers in the bill.

I just want to add one thing. With respect to the policy provisions in this bill, we have retained every single limitation that was contained in previous appropriation bills when our Republican friends were in the majority. We have retained every single restriction on abortion that was in bills when they controlled the House, and so I think we have leaned over backwards to try to work with our friends in the minority.

And as I say, I appreciate the relationship that I have with the gentleman from Kansas. He's a fine and good man. We don't agree on everything, but as Will Rogers once said, when two people agree on everything, one of them is unnecessary.

So we do the best we can to reconcile our differences. We all have deeply held beliefs, but I think this bill represents the values of the country and, I hope, the values of this Congress.

I would urge support.

Mr. BLUMENAUER. Mr. Chair, I strongly support the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act. This bill strengthens our economy and our communities by improving education, expanding job training, and strengthening our health and social services safety nets. I appreciate strategic investments made in Oregon and around the country to make our communities more livable and our families safer, healthier, and more economically secure. There are two important pieces of this bill I'd like to highlight: funding for public broadcasting and the University Sustainability Program.

Nationwide, the economic downturn has struck businesses and individuals hard. The free, noncommercial, cultural and educational programming services provided by public broadcasting are now more valuable than ever. Many communities rely on public broadcasting stations as a sole source of news and information. States and local governments use the public broadcasting system for both day-to-day and emergency communications. Sta-

tions, which receive most of their funding from donations, have been hard hit by the recession as well. I am pleased that this bill includes \$40 million in fiscal stabilization grants, 100 percent of which will go directly to stations in need, to shore up these local stations and local jobs. And I appreciate the continued advance appropriations for the Corporation for Public Broadcasting included as well, which helps ensure broadcasters can provide continuity of service and plan budgets adequately.

Public broadcasting connects people with their local community, their nation, and their world in a way that no other outlet can or does. Because American citizens have come to rely on these services and programs, I am pleased Congress is fulfilling its responsibility to support public broadcasting.

In addition, on behalf of the thirty members of Congress who requested funding for the University Sustainability Program, I would like to thank the Labor, Health and Human Services, Education and Related Agencies Appropriation Committee for recognizing the important role that this program will play in helping revitalize the American economy. I'm proud that the committee has recognized the need for credible, multi disciplinary, innovative education centers to help our universities prepare students for the economy of tomorrow.

There is a growing awareness that transitioning to a green economy presents a tremendous opportunity for those who embrace it—and a great risk for those who ignore it. Making this transition promises to create a new engine to drive America's economy, achieve greater energy security, and reduce impacts from global warming—and reduce chances of losing American jobs to other countries which charge ahead and take the lead. This program will provide competitive grants for the development, implementation and evaluation of sustainability programs in American colleges and universities. It was created in the Higher Education Opportunity Act of 2008, based on legislation that I introduced in 2007, the Higher Education Sustainability Act.

Industry leaders in energy management, green building design and materials, waste management, toxics management, and sustainable transportation are hungry for a well-trained workforce trained in the latest technologies and approaches. A recent study of Fortune 500 CEOs reported that, while 90 percent agreed that "sustainable development is important to their company's future," only 30 percent say they have the "skills, information, and personnel to meet the challenge."

It's not surprising that company leaders feel this way. The United States lags far behind other countries when it comes to preparing our students to understand the environmental problems we face and come up with innovative technological and organizational ways to attack them. According to the International Organization for Economic Co-operation and Development, the U.S. ranks 34th out of 57 developed countries when it comes to students' knowledge about the environment and environment-related issues, behind Estonia, Croatia and the Slovak and Czech Republics. According to the National Renewable Energy Lab, the major barriers to a more rapid adoption of renewable energy and energy efficiency in America are insufficient skills and training.

The University Sustainability Program is supported by the Association for the Advancement of Sustainability in Higher Education, the

American Association of Community Colleges, Associations of College Unions International, Campaign for Environmental Literacy, National Council for Science and the Environment, Nike, National Wildlife Federation, Association of College and University Housing Officers International, Mary Kay, Inc, Earth Day Network, Chesapeake Bay Foundation, American Academy of Religion, and many more companies, organizations and leaders.

I strongly support this bill and hope that the Senate will also include this much needed funding to support universities as they work to overcome some of the barriers to providing real, hands-on, environmental education to prepare students for the changing economy.

Mr. HOLT. Mr. Chair, I rise today in support of the Fiscal Year 2010 Labor-HHS-Education Appropriations bill and my Amendment to increase the Math and Science Partnership program funding by \$5 million.

I want to thank Chairman OBEY for including my amendment in the manager's amendment before us today. This program is the federal government's only generally available math and science teacher training program. By providing more resources to the Math and Science Partnership program at the Department of Education the program would be able to expand to additional schools across the county, and countless students would benefit from improved instruction in these critical subject areas. If our economy is going to grow, if our productivity is going to grow, we must do better in math and science education.

Mr. Chair, this \$5 million increase in funding is long overdue, and yet still far short of what is needed. We are not doing nearly enough in this area, and everyone says so.

The Glenn Commission, on which I was honored to serve said so, the National Academies of Science have said so. And the recently released report by the Carnegie Corporation of New York and the Institute for Advanced Study entitled "The Opportunity Equation: Transforming Mathematics and Science Education for Citizenship and the Global Economy" called for increasing the "supply of well-prepared teachers of mathematics and science at all grad levels by improving teacher preparation . . ."

That is why representative EHLERS and I led a letter to the House Appropriations Committee to increase funding for the Math and Science Partnership program to \$450 million that was joined by 23 Members of Congress.

In 2002, prior to the reauthorization of the Elementary and Secondary Education Act, the Eisenhower program provided \$485 million for teacher professional development primarily in science and math. Yet, today the Math and Science Partnership program is funded at less than half that level at only \$179 million.

Earlier this year, Education Secretary Duncan stated that "science education is central to our broad effort to restore American leadership in Education worldwide" and yet the budget proposal from the Department flat funded this essential training program again.

We need to change this cycle of recognizing problems, identifying solutions, and then failing to act.

My amendment was offered to increase funding for the Math and Science Partnerships program, and I know all too well that the \$5 million included will not solve the problem.

I hope this serves as recognition that we cannot be a global economic power unless we

make the appropriate investments in education, with special focus on math and science education. We may never know how many students could have benefited over the past seven years from full funding, but I hope that we will soon be able to restore funding to this program to its pre-2002 levels.

Again, I want to thank the Chairman for including my amendment and I urge my colleagues to support the amendment and the underlying bill.

Mr. HOLT. Mr. Chair, I rise today to express regret that full funding for disability access programs under the Help America Vote Act (HAVA) was not included in the Labor, Health and Human Services, and Education and Related Agencies Appropriations Act for Fiscal Year 2010, as the amendment I offered to the bill would have done. Three years after its final implementation deadline, the promise of disability access under HAVA still has not been fulfilled and I believe we should make that a priority before the next general election.

On June 10, 2009, the Government Accountability Office (GAO) issued a report indicating that much work is yet to be done to ensure full access to the polls. It stated, in part, that "[w]hile the percent of polling places with multiple impediments decreased significantly from 2000, still a fair number—16 percent—had four or more potential impediments in 2008. Over 50 percent of polling places had one or more potential impediments on the path from the parking lot to the building entrance, while 14 percent had potential impediments from the building entrance to the voting area." According to the GAO, currently only 27 percent of polling places are fully accessible. Therefore, I believe it is time we distributed to the states the full amount originally authorized and contemplated by HAVA to ensure full access to the polls, in time to achieve that goal before the election in November 2010.

It has been argued that additional funding is not needed in this bill because some funding previously appropriated has not been spent. But when one understands why, it becomes clear that the remaining funds are still needed. HAVA originally anticipated that funding for polling place accessibility and protection and advocacy could go directly to local election officials, but subsequently the Department of Health and Human Services (HHS) determined that it would only take applications from state departments of elections. Funds therefore had to pass through Congress, HHS, and state departments of elections before being distributed to local officials, which has significantly slowed down the process.

The Protection and Advocacy for Voting Access (PAVA) program has never been fully funded, and the National Disability Rights Network (NDRN) advises me that this year, nearly ten months into the 2009 Fiscal Year, PAVA funding has still not been released to protection and advocacy organizations. This has forced them to ration carryover funds to allow continuity of existing projects, giving the appearance that they are sitting on money in the bank when in fact they are simply trying to keep their programs running on a shoestring without interruption. "Those who question why PAVA funds still exist in accounts need to look no further than the inconsistent funding and distribution history of this program," NDRN said.

That is why I offered an amendment to increase HAVA disability access funding by \$20

million, and protection and advocacy funding by \$5 million, so that the disability access funding in this year's appropriation bill would reach the level originally authorized and contemplated by HAVA. I regret that the full funding for disability access was not included in the bill, and I look forward to working with my colleagues to ensure that full funding for disability access under the Help America Vote Act is appropriated in the next fiscal cycle.

Ms. WATERS. Mr. Chair, I rise to support this bill, which provides funding for essential health and education services for the well-being of the American people.

I commend the Appropriations Committee for providing \$263 million for Title VIII Nursing Workforce Development programs, a \$92 million increase in funding for these nurse education and training programs. Our nation is facing a severe shortage of nurses, and this shortage will only become more severe as we embark on health reform and provide more Americans access to affordable healthcare.

There are many young people in my district and throughout the country who would welcome the opportunity to pursue a career in nursing. Enabling promising young people to receive a college education in nursing will reduce unemployment rates in the short term and provide a long-term investment in our nation's healthcare system.

Over the last four years, funding for the Nursing Workforce Development programs has remained relatively flat. In fiscal year (FY) 2006, these programs received just under \$150 million and supported 91,189 nursing students. In the following year, these programs received the same amount of funding but supported only 71,729 nursing students. In FY 2008, the programs received \$156 million but still supported only 51,657 nursing students. These recent trends demonstrate the rising costs of nurse education and training, which results in the participation of fewer nursing students and, therefore, fewer new nurses. In FY 2009, the programs received \$171 million and, while this was a slight increase, it was still far below our nation's needs. A significant increase is necessary for these programs to overcome rising tuition costs and allow more students to participate.

The increase in this bill for nurse education and training programs will improve our nation's health system and allow thousands of young people to pursue a promising career field and serve their communities as nurses.

I urge my colleagues to support this bill.

Mr. HOYER. Mr. Chair, I rise to support this Labor-HHS-Education Appropriations bill, and particularly to call attention to a program that is close to my heart and vital for so many communities: full-service community schools. Full-service community schools are public schools that do much more than educate: they coordinate a wide range of social service programs for students and families, in partnerships with community organizations and the private sector. They provide students, families, and neighborhoods a seamless web of academic, health, and personal development services, all of which combine to expand opportunity in the communities that need it most. Full-service community schools can offer everything from health and dental care, to mental health counseling, to career advice, to literacy programs, to adult classes, to nutrition education. These schools quickly become the center of their communities, staying open long

after school hours and on the weekends, as well.

Over the last decade, research has consistently shown that full-service community schools mean better outcomes in student achievement, attendance rates, student discipline, parental involvement, and access to preventive health services. That's why they're supported by so many education professionals, including the National Education Association, the American Federation of Teachers, the Coalition for Community Schools, and the National Association of State Boards of Education.

My late wife, Judy Hoyer, introduced me to full-service community schools. She was an early childhood educator, and at the Early Childhood and Family Learning Center in Adelphi, Maryland, she helped bring to life an innovative vision for education and community services, working together. Today, thousands of Maryland children benefit from the "Judy Centers" that operate across the state.

But full-service community schools can succeed in any state. That's why I'm glad that this legislation provides \$10 million to fund grants that will help local education agencies work with community organizations and implement the community schools model. I believe that the result will be healthier and more successful students, more involved parents, and stronger communities.

I urge my colleagues to support this appropriations bill.

Mr. EHLERS. I rise in support of funding for the U.S. Department of Education's Math and Science Partnerships program. The legislation we are considering today appropriates \$179 million for Math and Science Partnerships—equal to the current funding level.

The Math and Science Partnerships program is an innovative, proven program designed to improve teacher content knowledge and teaching skills in math and science subjects. Through formula grants to every state, the program provides crucial teacher professional development and teacher in-service training by linking school districts with university mathematics, science and engineering departments. As a result of the Math and Science Partnerships program, our students' math and science skills are strengthened.

This week, we celebrated the 40th anniversary of *Apollo 11*'s mission and astronauts Neil Armstrong and Buzz Aldrin walking on the Moon. This event, and the earlier launch of Sputnik, sparked remarkable interest in science education, and led to the creation of many valuable federal education programs over the next several decades. One such program, the Eisenhower Professional Development Act, was originally enacted in 1985 to provide funding for professional development opportunities for math and science educators. In fact, before the No Child Left Behind Act (NCLB), Congress provided substantially more funding for math and science teacher professional development through the Eisenhower program. In short, in spite of our great national need for more well-trained scientists and engineers, we are providing less than half as much funding for training science teachers as we did before NCLB was passed into law. Currently, many science teachers report little, if any, funds available for professional development activities.

Earlier this year, Representative HOLT and I led the charge to provide at least \$450 million

in funding for the Math and Science Partnerships program. Twenty-three Members of Congress joined us in sending a letter to the Labor, Health & Human Services Appropriations Subcommittee requesting this important funding.

I am disappointed that the bill before us today provides level funding for the Math & Science Partnerships program. However, I am deeply grateful to Chairman OBEY for his willingness to include \$5 million in additional funding for the Math & Science Partnerships program in his manager's amendment. I sincerely thank him for recognizing the need for increased funding for the Math and Science Partnerships program. I also thank Representative HOLT for his continued dedication to supporting this program and for his work in securing this additional funding.

Mrs. MALONEY. Mr. Chair, I rise in support of H.R. 3293, the Labor, Health and Human Services, and Education Appropriation bill for fiscal year 2010. In tough economic times, it is this important spending measure that makes critical investments in job training, strengthens health and social safety nets, and provides the educational opportunities that are critical to the nation's long-term prosperity. I want to thank Chairman OBEY for his tireless work on this always challenging legislation.

I also want to thank Chairman OBEY for including \$70.7 million in the bill—the President's request—for the World Trade Center (WTC) Health programs, which provide medical monitoring and treatment to WTC responders, community members, and others who have become ill because of the aftermath of the attacks on September 11, 2001. While the New York Delegation works toward a long-term legislative solution in passage of the James Zadroga 9/11 Health and Compensation Act (H.R. 847), this funding to continue the current WTC Health programs is absolutely critical in ensuring that the heroes and heroines of 9/11 receive the health care they need and deserve.

Again, I am pleased to support this bill and thank Chairman OBEY for his leadership.

Mr. STARK. Mr. Chair, I rise today in support of the 2010 Labor, Health & Education Appropriations (H.R. 3293). It will ease the recession by increasing job training, strengthening the social safety net, and investing in families. I am particularly supportive of the bill's education and health care provisions.

The bill makes critical investments toward the goal of providing every student with a world-class education. Additional resources will go to Title I schools serving low-income students, as well as programs under the Individuals with Disabilities Act (IDEA), which serve 6.7 million students with disabilities. The bill also provides \$545 million for assistance to thousands of schools with chronically poor performance. When coupled with funding from the American Recovery and Reinvestment Act, states will receive \$4 billion to turn around these schools and create opportunities for children.

This legislation will also make college affordable for many more students by continuing to increase the Pell Grant. Since Democrats took charge of Congress in January 2007, the maximum Pell Grant has increased 37 percent from \$4,050 to \$5,550.

The legislation also invests in our health care system to make our nation healthier and more productive. The bill will help Community

Health Centers provide care for 17 million Americans with a \$2.2 billion investment. It will also help us to meet nursing and other workforce shortfalls by increasing support for training of medical professionals. Finally, the legislation provides a \$992 million increase for the life saving research carried out by the NIH.

This bill continues the commitment to reconstruct our public schools and address the health care crisis by building on the historic education and health investments made by the American Recovery and Reinvestment Act. I urge all of my colleagues to support this legislation.

Mr. VAN HOLLEN. Mr. Chair, I rise to support the FY10 Labor, Health and Human Services, and Education Appropriations bill.

As we continue to debate sweeping health care reform, today's legislation makes investments in our most urgent needs, including \$2.2 billion for community health centers to serve vulnerable populations, \$530 million to train new health professionals, and \$204 million to continue an aggressive campaign to reduce life-threatening infections that patients acquire while receiving treatment for medical or surgical conditions.

I am pleased that the bill includes \$31.3 billion for the National Institutes of Health, although I am concerned that the funding increases will not keep up with escalating biomedical costs. As we consider the costs of our health care system, we must make the investments necessary to find cures for chronic diseases that require expensive long-term care.

I also strongly support the \$10 million in funding included for the Caroline Pryce Walker Conquer Childhood Cancer Act, legislation I co-authored with former Congresswoman Deborah Pryce. This will fund pediatric cancer research activities to eradicate the number one cause of death for our nation's children.

Today's bill also makes vital investments in education and workforce development. It includes \$17.5 billion for Title I grants to serve 20 million disadvantaged children and \$11.5 billion for the Individuals with Disabilities Act, which, when combined with funding from the American Recovery and Reinvestment Act, will support a 25 percent Federal contribution for special education. Additional new investments are made in literacy and dropout prevention initiatives.

In a time when students across the country are struggling to pay for college, this bill continues the new Congress's commitment to affordable education by raising the maximum Pell grant award to \$5,550.

The bill also includes a \$50 million investment in green job training, to prepare workers for a new, 21st century economy. Additional funding is included to train veterans transitioning to a civilian workforce and dislocated workers who have lost their jobs during the recession.

Mr. Chair, the FY10 Labor, Health and Human Services, and Education Appropriations bill funds some of our nation's most important domestic priorities. I urge my colleagues to support these critical investments in our nation's children, families, and workers.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in strong support of this appropriations bill. In this time of economic uncertainty, the Labor, HHS, and Education Appropriations Act funds some of the most important programs that provide a social safety net, as well as programs that will help us on the road to

recovery. Investment in education and job training is one of the best ways to help America become stronger, and more productive and competitive.

H.R. 3293 makes critical investments to train people for jobs, shore up health and social safety nets to provide relief for millions of hard-working Americans struggling to make ends meet in the economic crisis, and provide the educational opportunity that is critical to the nation's longer-term prosperity.

One of these jobs training programs will take place in Texas's 29th District at the International Maritime and Energy Center of Houston, which San Jacinto College will operate along with other regional and industry partners. Our district includes the Port of Houston, and this center will provide training for the high demand jobs that exist right in our backyard. With inland shipping docks protected from open seas, by the 1980s more than half of the United States energy/petrochemical capacity was built in the Houston port region. Today, this global maritime and industrial complex is second in size only to Rotterdam in the entire world.

This funding will allow San Jacinto College along with other regional and industry partners, to address the critical need for trained workers in both the maritime and energy industries. Recognizing this critical need for trained workers, and how a shortage of workers would impact the Houston Port region, numerous public and private entities have partnered with the intent to create the International Maritime and Energy Center of Houston. This project will allow enhanced training programs that develop skilled workers in technical education and also a training and workforce pipeline in regional dual credit programs with the area high schools, and I thank the Committee for including this critical funding.

Also included in this bill is funding for the purchase of direct-capture digital imaging devices by the Harris County Hospital District that will enhance clinical work flow and will allow imaging technologists to increase productivity and increase access to care for clinic beneficiaries which is the overall program goal. Current radiology practices in the Community Health Centers are hampered by analog imaging products that limit work flow efficiencies. Existing systems require the Radiology Technologist to capture radiographic images on an imaging plate that is processed by a computed radiography device. The process is time consuming and limits patient throughput by nearly one-third—cassette based image management systems are very inefficient and resource-intensive.

The Harris County Hospital District is the public hospital system for Harris County, Texas. With an operating budget in excess of \$800 million, the district runs 3 hospitals, 11 community health centers, a freestanding HIV clinic, and several school-based and community-based clinics. This equipment will allow them to better serve the needs of our community.

I am also pleased that this bill supports three important education programs that are active throughout our district. Several of the schools in our district participate in the Education for Democracy Act program which is one of the most cost effective education programs supported by the federal government. This important program promotes our students' capacity to participate competently and

responsibly in our democratic system by providing them with a thorough understanding of our constitutional democracy as expressed in such seminal documents as the Declaration of Independence, the Constitution and the Bill of Rights, and the Gettysburg Address.

The Reach Out and Read program promotes literacy and language development in infants and young children, targeting disadvantaged children and families across our country. Through fifteen years of peer-reviewed and published research, an extensive body of documentation now clearly demonstrates the importance of promoting early language and literacy skills so that children have the essential reading skills they need to begin school successfully. I am proud that there are fifteen Reach Out and Read locations in our district serving 9,161 children each year.

Finally, I am a long time supporter of the Reading is Fundamental Program in our country and am pleased that the Appropriations Committee continued their strong support for this program as well. This important program also enhances child literacy by providing millions of underserved children, including several in my district, with free books—thereby encouraging them to read and cultivate the skills they need to be successful in school.

Mr. Chair, this is a good bill that funds so many needs in our district and across the country. I strongly urge my colleagues to join me in supporting its passage.

Ms. MOORE of Wisconsin. Mr. Chair, as Congress continues to address proposals intended to decrease the poverty gap and increase access to higher education for low-income and first generation college students, as well as at-risk youth, I strongly encourage a significant funding boost for Federal TRIO programs. TRIO has offered effective supportive services with proven results for hundreds of thousands of students across the country. However, these local programs work on a shoestring budget that forces them to turn away thousands of eligible students every year.

I applaud the increase that TRIO received in the FY 2010 House Labor-HHS-Education Appropriations bill, but it is nowhere near enough to address the need. I offered an amendment to increase funding by an additional \$5 million, offset by a new and unproven grant program that aims to accomplish exactly the same goals that the proven TRIO program is already working towards. I fully support innovation, but not at the expense of meeting the needs of students now.

TRIO is a proven program currently serving nearly 850,000 at-risk students ranging from middle school to college students nearing graduation.

TRIO provides the academic and personal support that young, low-income, and at-risk students need to help take advantage of the opportunities afforded to them.

TRIO students who have participated in pre-college programs have a higher matriculation rate than other low-income students. In 2005, 77.3% of all students who participated in Upward Bound programs immediately went to college the following fall and 86.5% of students who participated in Upward Bound-Math Science went directly to college. Similarly, 73% of Talent Search participants enrolled in college the fall following high school graduation. These figures stand in sharp contrast to the immediate college enrollment rate of all low-income high school students—only 41%.

Several data sources illustrate the success of TRIO by showing that students who participate in TRIO Student Support Services (SSS), with Pell Grant funding, are almost 10% more likely to attain a bachelor's degree than those who solely received Pell Grants without SSS participation.

51% percent of campuses that enroll over 1,000 Pell recipients host SSS programs. Yet, the average size of an SSS grant only allows a typical program to serve a portion (25.11%) of eligible students. Many others—students for whom consistent supportive services could mean the difference between a college degree and dropping out—do not receive the support they need.

TRIO has not received a significant increase since FY 2006. According to the Pell Institute for the Study of Opportunity in Education 2009, current TRIO funding levels are only sufficient to serve 11% of the students who are eligible for help.

Students from the bottom income quartile (\$38,660 or under per family) have a 25% chance at completing a college degree once they begin. In contrast, students from the top quartile (\$105,800 or over per family) have a 95% chance of completing a college degree. As such, services offered by the TRIO programs become all the more critical to ensure that such students have the opportunity to become economically viable and independent members of our post-industrial, global society.

The High School Graduation Initiative is an untested program that received \$50 million dollars in the Department of Education Appropriations Act of 2010. It aims for the same goals as TRIO, yet it is unproven. My amendment would have drawn \$5 million from this fund to put towards TRIO. It is not enough to ensure that this effective program can reach all eligible students, but it is a start.

Mr. SPACE. Mr. Chair, I rise today in support of the FY 2010 Labor-HHS-Education Appropriations bill which contains \$10 million for the continuation of rural facilities technical assistance. Among the grantees for this program are the six Rural Community Assistance Partnerships (RCAPs). The RCAPs have functioned as a national network of regional organizations for over two decades. They utilize public and private funds to provide technical assistance for a range of tasks: community-development, infrastructure expansion, pollution-prevention, environmental-compliance and others.

Rural communities have billions of dollars of need for new and improved water and waste disposal facilities. Addressing this need is not just important for improving public health, but also for alleviating poverty. Lacking adequate water or waste disposal facilities, small communities cannot attract business, develop a housing subdivision or build a new school. I am incredibly pleased that Chairman OBEY understands the unique needs of rural communities and worked to secure funding for the RCAPs which are so important to my District.

RCAP has helped communities in Ohio's District 18 access over \$8 million in 2009 alone, and is currently working with more than 13 projects to access available Recovery Act funding. In addition, RCAP has provided training to over 280 local officials from 60 communities in the district on managerial and financial issues to promote small system sustainability. Again, I want to thank Chairman OBEY for his hard work on this important bill that will

allow communities in my District to continue receiving necessary assistance in addressing their drinking water and waste water needs.

Mr. OBEY. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule and the bill shall be considered read through page 134, line 12.

The text of that portion of the bill is as follows:

H.R. 3293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Workforce Investment Act of 1998 ("WIA"), the Second Chance Act of 2007, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA; \$3,802,961,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,969,449,000 as follows:

(A) \$861,540,000 for adult employment and training activities, of which \$149,540,000 shall be available for the period July 1, 2010, through June 30, 2011, and of which \$712,000,000 shall be available for the period October 1, 2010 through June 30, 2011;

(B) \$924,069,000 for youth activities, which shall be available for the period April 1, 2010 through June 30, 2011; and

(C) \$1,183,840,000 for dislocated worker employment and training activities, of which \$321,731,000 shall be available for the period July 1, 2010 through June 30, 2011, and of which \$862,109,000 shall be available for the period October 1, 2010 through June 30, 2011: *Provided*, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: *Provided further*, That a local board may award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice;

(2) for federally administered programs, \$453,429,000 as follows:

(A) \$215,051,000 for the dislocated workers assistance national reserve, of which \$17,160,000 shall be available for the period July 1, 2010 through June 30, 2011, and of which \$197,891,000 shall be available for the period October 1, 2010 through June 30, 2011: *Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for State-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple

local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers;

(B) \$52,758,000 for Native American programs, which shall be available for the period July 1, 2010 through June 30, 2011;

(C) \$84,620,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including \$78,610,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$5,500,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$510,000 for other discretionary purposes, which shall be available for the period July 1, 2010 through June 30, 2011: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$1,000,000 for carrying out the Women in Apprenticeship and Nontraditional Occupations Act, which shall be available for the period July 1, 2010 through June 30, 2011; and

(E) \$100,000,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2010 through June 30, 2011: *Provided*, That for program year 2010 and each program year thereafter, the YouthBuild program may serve an individual who has dropped out of high school and re-enrolled in an alternative school, if that re-enrollment is part of a sequential service strategy;

(3) for national activities, \$380,083,000, as follows:

(A) \$66,990,000 for Pilots, Demonstrations, and Research, which shall be available for the period April 1, 2010 through June 30, 2011, of which \$35,000,000 shall be for Transitional Jobs activities, and shall not be subject to the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA, and that a sufficient portion of these funds shall be for an evaluation of the program; and of which \$5,500,000 shall be for competitive grants to address the employment and training needs of young parents, and shall not be subject to the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA; and of which \$24,490,000 shall be used for the projects, and in the amounts, specified under the heading "Training and Employment Services" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided*, That funding provided to carry out such projects shall not be subject to the requirements of sections 171(b)(2)(B) and 171(c)(4)(D) of the WIA, the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of the WIA, or any time limit requirements of sections 171(b)(2)(C) and 171(c)(4)(B) of the WIA;

(B) \$108,493,000 for ex-offender activities, under the authority of section 171 of the WIA and section 212 of the Second Chance Act of 2007, which shall be available for the period July 1, 2010 through June 30, 2011, and which shall not be subject to the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA: *Provided*, That not less than \$34,000,000 shall be available for adult ex-offender activities, of which \$15,000,000 shall be for competitive grants to provide Transitional Job activities for adult ex-offenders;

(C) \$9,600,000 for Evaluation, which shall be available for the period July 1, 2010 through June 30, 2011, and which may be transferred

to any other account within the Department to carry out evaluation activities;

(D) \$50,000,000 for activities that prepare workers for careers in energy efficiency and renewable energy as described in section 171(e)(1)(B) of the WIA, under the authority of section 171 of the WIA, which shall be available for the period July 1, 2010 through June 30, 2011, and which shall not be subject to the requirements of section 171(b)(2)(B) or 171(c)(4)(D);

(E) \$130,000,000 for the Career Pathways Innovation Fund, under the authority of section 171 of the WIA, which shall be available for the period July 1, 2010 through June 30, 2011, of which not less than \$65,000,000 shall be dedicated to activities that prepare workers for careers in the health care sector, and which shall not be subject to the requirements of section 171(b)(2)(B) or 171(c)(4)(D); and

(F) \$15,000,000 for the Workforce Data Quality Initiative, under the authority of section 171(c)(2) of the WIA, which shall be available for the period July 1, 2010 through June 30, 2011, and which shall not be subject to the requirements of section 171(c)(4)(D).

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, \$615,425,000, which shall be available for the period July 1, 2010 through June 30, 2011: *Provided*, That funds made available under this heading in this Act may, in accordance with section 517(c) of the Older Americans Act of 1965, be recaptured and reobligated.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2010 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, including benefit payments, allowances, training, and related State administration provided pursuant to paragraphs (1) and (2) of section 1891(b) of the Trade and Globalization Adjustment Assistance Act of 2009, \$1,818,400,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2010.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$69,903,000, together with not to exceed \$3,977,153,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) \$3,195,645,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including \$10,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501-8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 1891(b) of the Trade and Globalization Adjustment Assistance Act of 2009, and shall be available for obligation by the States through December 31, 2010, except that funds used for automation acquisitions

shall be available for obligation by the States through September 30, 2012, and funds used for unemployment insurance workloads experienced by the States through September 30, 2010 shall be available for Federal obligation through December 31, 2010;

(2) \$11,310,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) \$680,893,000 from the Trust Fund, together with \$22,683,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2010 through June 30, 2011;

(4) \$20,869,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed \$1,228,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980;

(5) \$68,436,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which \$53,307,000 shall be available for the Federal administration of such activities, and \$15,129,000 shall be available for grants to States for the administration of such activities; and

(6) \$47,220,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and section 171 (e)(2)(C) of the Workforce Investment Act of 1998 and shall be available for Federal obligation for the period July 1, 2010 through June 30, 2011:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2010 is projected by the Department of Labor to exceed 5,059,000, an additional \$28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Act: *Provided further*, That the Secretary of Labor may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A-87: *Provided further*, That the Secretary, at the re-

quest of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request.

In addition, \$50,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for non-repayable advances to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$96,266,000, together with not to exceed \$50,140,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, \$154,060,000.

PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2010, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2010 shall be available for obligations for administrative expenses in excess of \$464,067,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2010, an amount not to exceed an additional \$9,200,000 shall be available through September 30, 2011 for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That an additional \$50,000 shall be made available through September 30, 2011 for obligation for investment management fees for every \$25,000,000 in assets received by the Corporation as a result of new plan terminations or asset growth, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses after approval by the Office of Management and Budget and notification of the Committees

on Appropriations of the House of Representatives and the Senate.

EMPLOYMENT STANDARDS ADMINISTRATION SALARIES AND EXPENSES (INCLUDING RESCISSION)

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$484,632,000, together with \$2,124,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided*, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938 and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act.

Of the unobligated funds collected pursuant to section 286(v) of the Immigration and Nationality Act, \$65,000,000 are rescinded as of September 30, 2010.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, \$187,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under 5 U.S.C. 8104, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2009, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2010: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, \$58,120,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems and telecommunications systems, \$19,968,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, \$23,323,000;

(3) For periodic roll management and medical review, \$14,829,000; and

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81,

or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107-275, \$169,180,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2011, \$45,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$51,197,000, to remain available until expended: *Provided*, That the Secretary of Labor may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND (INCLUDING TRANSFER OF FUNDS)

In fiscal year 2010, such sums as may be necessary from the Black Lung Disability Trust Fund ("Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1986; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2010 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed \$32,720,000 for transfer to the Employment Standards Administration "Salaries and Expenses"; not to exceed \$25,091,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed \$327,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed \$356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$554,620,000, including not to exceed \$103,393,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act ("Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary of Labor under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$200,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That, notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2010, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions

of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That \$10,000,000 shall be available for Susan Harwood training grants.

MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$353,193,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities; in addition, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to \$1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary of Labor is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other

agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized, in fiscal year 2010 and each fiscal year thereafter, to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$533,359,000, together with not to exceed \$78,264,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which \$1,500,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act: *Provided*, That the Current Employment Survey shall maintain the content of the survey issued prior to June 2005 with respect to the collection of data for the women worker series.

OFFICE OF DISABILITY EMPLOYMENT POLICY SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, \$37,031,000.

DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, \$350,827,000, of which \$91,419,000 is for the Bureau of International Labor Affairs (including \$6,500,000 to implement model programs to address worker rights issues through technical assistance in countries with which the United States has trade preference programs), and of which \$19,892,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy, and of which \$5,000,000 is for Program Evaluation, which may be transferred to any other appropriate account in the Department for such purpose; together with not to exceed \$327,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the Workforce Investment Act of 1998, including Federal administrative expenses, the purchase and hire of passenger motor vehicles,

the construction, alteration and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; \$1,705,320,000, plus reimbursements, as follows:

(1) \$1,576,130,000 for Job Corps Operations, of which \$985,130,000 shall be available for obligation for the period July 1, 2010 through June 30, 2011 and of which \$591,000,000 shall be available for obligation for the period October 1, 2010 through June 30, 2011;

(2) \$100,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period October 1, 2010 through June 30, 2013; and

(3) \$29,190,000 for necessary expenses of the Office of Job Corps which shall be available for obligation for the period October 1, 2009 through September 30, 2010:

Provided, That the Office of Job Corps shall have contracting authority: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$210,156,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4113, 4211-4215, and 4321-4327, and Public Law 103-353, and which shall be available for obligation by the States through December 31, 2010, of which \$2,449,000 is for the National Veterans' Employment and Training Services Institute.

In addition, to carry out the Department of Labor programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001 and the Veterans Workforce Investment Programs under section 168 of the Workforce Investment Act, \$46,971,000, of which \$9,641,000 shall be available for obligation for the period July 1, 2010 through June 30, 2011.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$78,093,000, together with not to exceed \$5,921,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this Act for the Job Corps shall be used to pay the salary of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or

services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. None of the funds appropriated in this title for grants under section 171 of the Workforce Investment Act of 1998 may be obligated prior to the preparation and submission of a report by the Secretary of Labor to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 105. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than training in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That the preceding limitation shall not apply to multi-year grants awarded prior to June 30, 2007.

SEC. 106. None of the funds available in this Act or available to the Secretary of Labor from other sources for Career Pathways Innovation Fund grants and grants authorized under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 shall be obligated for a grant awarded on a non-competitive basis.

SEC. 107. None of the funds appropriated in this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

SEC. 108. The Secretary of Labor shall submit to the Committees on Appropriations of the House of Representatives and the Senate a plan for the transfer of the administration of the Job Corps program authorized under title I-C of the Workforce Investment Act of 1998 from the Office of the Secretary to the Employment and Training Administration. As of the date that is 30 days after the date of submission of such plan, the Secretary may transfer the administration and appropriated funds of the program from the Office of the Secretary and the provisions of section 102 of Public Law 109-149 shall no longer be applicable.

This title may be cited as the "Department of Labor Appropriations Act, 2010".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XI, XII, XIX, and XXVI of the Public Health Service Act ("PHS Act"), section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 711, 1128E, and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, the Native Hawaiian Health Care Act of 1988, the Cardiac Arrest Survival Act of 2000, section 712 of the American Jobs Creation Act of 2004, and the Stem Cell Therapeutic

and Research Act of 2005, \$7,305,817,000, of which \$41,200,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under such section: *Provided*, That of the funds made available under this heading, \$129,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further*, That \$56,000,000 of the funding provided for community health centers shall be for base grant adjustments for existing health centers: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: *Provided further*, That no more than \$40,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act including associated administrative expenses and relevant evaluations: *Provided further*, That no more than \$44,055,000 shall be available until expended for carrying out the provisions of Public Law 104-73 and for expenses incurred by the Department of Health and Human Services ("HHS") pertaining to administrative claims made under such law: *Provided further*, That of the funds made available under this heading, \$317,491,000 shall be for the program under title X of the PHS Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That of the funds available under this heading, \$1,932,865,000 shall remain available to the Secretary of HHS through September 30, 2012, for parts A and B of title XXVI of the PHS Act: *Provided further*, That within the amounts provided for part A of title XXVI of the PHS Act, \$6,021,000 shall be available to the Secretary through September 30, 2012, and shall be available to qualifying jurisdictions, within 30 days of enactment, for increasing supplemental grants for fiscal year 2010 to metropolitan and transitional areas that received grant funding in fiscal year 2009 under subparts I and II of part A of title XXVI of the PHS Act to ensure that an area's total funding under subparts I and II of part A for fiscal year 2009, together with the amount of this additional funding, is not less than 92.4 percent of the amount of such area's total funding under part A for fiscal year 2006: *Provided further*, That notwithstanding section 2603(c)(1) of the PHS Act, the additional funding to areas under the immediately preceding proviso, which may be used for costs incurred during fiscal year 2009, shall be available to the area for obligation from the date of the award through the end of the grant year for the award: *Provided further*, That \$835,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the PHS Act: *Provided further*, That in addition to amounts provided herein, \$25,000,000 shall be available from

amounts available under section 241 of the PHS Act to carry out parts A, B, C, and D of title XXVI of the PHS Act to fund section 2691 Special Projects of National Significance: *Provided further*, That notwithstanding section 703 of Public Law 109-415, authority to carry out title XXVI of the PHS Act shall continue in effect until October 1, 2010, unless prior to that date, authorization is enacted into law otherwise extending this authority: *Provided further*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not to exceed \$92,649,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and \$10,400,000 shall be available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act: *Provided further*, That notwithstanding section 747(e)(2) of the PHS Act, not less than \$5,000,000 shall be for general dentistry programs, not less than \$5,000,000 shall be for pediatric dentistry programs including faculty loan repayment, and not less than \$29,025,000 shall be for family medicine programs: *Provided further*, That funds provided under section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under these sections: *Provided further*, That of the amount appropriated in this paragraph, \$179,330,000 shall be used for the projects financing the construction and renovation (including equipment) of health care and other facilities and for other health-related activities, and in the amounts, specified under the heading "Health Resources and Services" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act, and of which up to one percent of the amount for each project may be used for related agency administrative expenses: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, \$9,700,000 shall be available for State Offices of Rural Health: *Provided further*, That of the funds provided, \$15,000,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology: *Provided further*, That \$75,000,000 shall be available for State Health Access Grants to expand access to affordable health care coverage for the uninsured populations in such States.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act ("PHS Act"). For administrative expenses to carry out the guaranteed loan program, including section 709 of the PHS Act, \$2,847,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund ("Trust Fund"), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$6,502,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act ("PHS Act"), sections 101, 102, 103, 201, 202, 203, 301, 501, and 514 of the Federal Mine Safety and Health Act of

1977, section 13 of the Mine Improvement and New Emergency Response Act of 2006, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, \$6,313,032,000, of which \$30,000,000 shall remain available until expended for acquisition of real property, equipment, construction and renovation of facilities; of which \$595,749,000 shall remain available until expended for the Strategic National Stockpile under section 319F-2 of the PHS Act; of which \$13,455,000 shall be used for the projects, and in the amounts, specified under the heading "Disease Control, Research, and Training" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act; of which \$118,979,000 for international HIV/AIDS shall remain available through September 30, 2011; and of which \$70,723,000 shall be available until expended to provide screening and treatment for first response emergency services personnel, residents, students, and others related to the September 11, 2001 terrorist attacks on the World Trade Center: *Provided*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program shall be available through September 30, 2011: *Provided further*, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the PHS Act: (1) \$12,864,000 to carry out the National Immunization Surveys; (2) \$138,683,000 to carry out the National Center for Health Statistics surveys; (3) \$47,386,000 for Public Health Informatics; (4) \$47,036,000 for Health Marketing; (5) \$31,170,000 to carry out Public Health Research; and (6) \$91,724,000 to carry out research activities within the National Occupational Research Agenda: *Provided further*, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: *Provided further*, That of the funds made available under this heading, up to \$1,000 per eligible employee of the Centers for Disease Control and Prevention shall be made available until expended for Individual Learning Accounts: *Provided further*, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are to be notified promptly of any such redirection: *Provided further*, That not to exceed \$20,573,000 may be available for making grants under section 1509 of the PHS Act to not less than 21 States, tribes, or tribal organizations: *Provided further*, That of the funds appropriated, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the Centers for Disease Control and Prevention: *Provided further*, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for re-

porting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment: *Provided further*, That none of the funds appropriated may be used to implement section 2625 of the PHS Act.

In addition, for necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$55,358,000, to remain available until expended: *Provided*, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106-554.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$5,150,170,000, of which up to \$8,000,000 may be used for facilities repairs and improvements at the National Cancer Institute-Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$3,123,403,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, \$417,032,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, \$1,824,251,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$1,650,253,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$4,859,502,000, of which \$500,000,000 shall be derived by transfer from funds appropriated under the heading "Biodefense Countermeasures" in the Department of Homeland Security Appropriations Act, 2004: *Provided*, That \$300,000,000 may be made available to International Assistance Programs "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis", to remain available until expended.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$2,069,156,000.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$1,341,120,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$713,072,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect

to environmental health sciences, \$695,497,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$1,119,404,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, \$543,621,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$422,308,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$146,945,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, \$466,308,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, \$1,069,583,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, \$1,502,266,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$520,311,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, \$319,217,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, \$1,280,031,000.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, \$129,953,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, \$213,316,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the Public Health Service Act), \$70,780,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act ("PHS Act") with respect to health information communications, \$342,585,000, of which \$4,000,000 shall be available until expended for improvement of information systems: *Provided*, That in fiscal year 2010, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: *Provided further*, That in addition to amounts provided herein, \$8,200,000

shall be available from amounts available under section 241 of the PHS Act to carry out the purposes of the National Information Center on Health Services Research and Health Care Technology established under section 478A of the PHS Act and related health services.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health ("NIH"), \$1,168,704,000, of which up to \$25,000,000 shall be used to carry out section 214 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That the NIH is authorized to collect third party payments for the cost of clinical services that are incurred in NIH research facilities and that such payments shall be credited to the NIH Management Fund ("Fund"): *Provided further*, That all funds credited to the Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That up to \$194,400,000 shall be available for continuation of the National Children's Study: *Provided further*, That \$534,066,000 shall be available for the Common Fund established under section 402A(c)(1) of the Public Health Service Act ("PHS Act"): *Provided further*, That of the funds provided \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, \$100,000,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles III, V, and XIX of the Public Health Service Act ("PHS Act") with respect to substance abuse and mental health services and the Protection and Advocacy for Individuals with Mental Illness Act, \$3,419,438,000, of which \$10,108,000 shall be used for the projects, and in the amounts, specified under the heading "Substance Abuse and Mental Health Services" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A are available for carrying out section 1971 of the PHS Act: *Provided further*, That \$795,000 shall be available until expended for reimbursing the General Services Administration for environmental testing and remediation on the federally owned facilities at St. Elizabeths Hospital, including but not limited to testing and remediation conducted prior to fiscal year 2010: *Provided further*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) \$79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; (2) \$21,039,000 to carry out subpart I of part B

of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX; (3) \$22,750,000 to carry out national surveys on drug abuse and mental health; and (4) \$8,596,000 to collect and analyze data and evaluate substance abuse treatment programs: *Provided further*, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated under this Act for fiscal year 2010.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act ("PHS Act"), part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 937(c) of the PHS Act shall not exceed \$372,053,000.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$220,962,473,000, to remain available until expended.

For making, after May 31, 2010, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2010 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2011, \$86,789,382,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D-16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$207,296,070,000.

In addition, for making matching payments under section 1844, and benefit payments under section 1860D-16 of the Social Security Act, not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act ("PHS Act"), and the Clinical Laboratory Improvement Amendments of 1988, not to exceed \$3,463,362,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section

353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary of Health and Human Services pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That \$35,681,000, to remain available through September 30, 2011, shall be for contract costs for the Healthcare Integrated General Ledger Accounting System: *Provided further*, That \$65,600,000, to remain available through September 30, 2011, shall be for the Centers for Medicare and Medicaid Services ("CMS") Medicare contracting reform activities: *Provided further*, That the Secretary is directed to collect fees in fiscal year 2010 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further*, That \$1,600,000 shall be used for the projects, and in the amounts, specified under the heading "Program Management" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided further*, That \$65,000,000 shall be available for the State high risk health insurance pool program as authorized by the State High Risk Pool Funding Extension Act of 2006.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, \$311,000,000, to remain available through September 30, 2011, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which \$220,320,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage and the Medicare Prescription Drug Program authorized in title XVIII of the Social Security Act and for activities listed in section 1893 of such Act; of which \$29,790,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act; of which \$31,100,000 shall be for the Medicaid and Children's Health Insurance Program ("CHIP") program integrity activities; and of which \$29,790,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided*, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2010 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation.

ADMINISTRATION FOR CHILDREN AND FAMILIES PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, \$3,571,509,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2011, \$1,100,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families with respect to such State, such sums as may be necessary: *Provided*, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b), (d), and (e) of section 2602 of the Low Income Home Energy Assistance Act of 1981, \$5,100,000,000, of which \$4,509,672,000 shall be for payments under subsections (b) and (d) of such section; and of which \$590,328,000 shall be for payments under subsection (e) of such section, to be made notwithstanding the designation requirements of such subsection: *Provided*, That all but \$839,792,000 of the amount provided in this Act for subsections (b) and (d) shall be allocated as though the total appropriation for such payments for fiscal year 2010 was less than \$1,975,000,000: *Provided further*, That notwithstanding section 2605(b)(2)(B)(ii) of such Act, a State may use any amount of an allotment from prior appropriations Acts that is available to that State for providing assistance in fiscal year 2010, and any allotment from funds appropriated in this Act or any other appropriations Act for fiscal year 2010, to provide assistance to households whose income does not exceed 75 percent of the State median income.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000, for costs associated with the care and placement of unaccompanied alien children, and for carrying out the Torture Victims Relief Act of 1998, \$714,968,000, of which up to \$9,814,000 shall be available to carry out the Trafficking Victims Protection Act of 2000: *Provided*, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act, section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and the Trafficking Victims Protection Act of 2000 for fiscal year 2010 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2012.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990, \$2,127,081,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That \$18,960,000 shall be available for child care resource and referral and school-aged

child care activities, of which \$1,000,000 shall be for the Child Care Aware toll-free hotline: *Provided further*, That, in addition to the amounts required to be reserved by the States under section 658G, \$271,401,000 shall be reserved by the States for activities authorized under section 658G, of which \$99,534,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That \$9,910,000 shall be for use by the Secretary of Health and Human Services for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,700,000,000: *Provided*, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), sections 330F and 330G of the Public Health Service Act ("PHS Act"), the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, part B-1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 439(i), 473B, and 477(i) of the Social Security Act, and the Assets for Independence Act; and for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, \$9,436,951,000, of which \$39,500,000, to remain available through September 30, 2011, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2010: *Provided*, That \$7,234,783,000 shall be for making payments under the Head Start Act: *Provided further*, That of the funds appropriated in the American Recovery and Reinvestment Act of 2009 for Head Start and Early Head Start, only the amount provided to a Head Start grantee under section 640(a)(3)(A)(i)(I) of the Head Start Act as a cost of living adjustment may be considered to be part of the fiscal year 2009 base grant for such grantee for purposes of section 640(a)(2)(B)(i) through (v) of the Head Start Act: *Provided further*, That \$746,000,000 shall be for making payments under the CSBG Act: *Provided further*, That not less than \$10,000,000 shall be for section 680(a)(3)(B) of the CSBG Act: *Provided further*, That in addition to amounts provided herein, \$5,762,000 shall be available from amounts available under section 241 of the PHS Act to carry out the provisions of section 1110 of the Social Security Act: *Provided further*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year

for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary of Health and Human Services shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That \$17,410,000 shall be for activities authorized by the Help America Vote Act of 2002, of which \$12,154,000 shall be for payments to States to promote access for voters with disabilities, and of which \$5,256,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: *Provided further*, That \$110,000,000 shall be for making competitive contracts and grants to fund teenage pregnancy prevention programs and for the Federal costs of administering and evaluating such contracts and grants, of which not less than \$75,000,000 shall be for programs that replicate the elements of one or more teenage pregnancy prevention programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy or reduce behavioral risk factors underlying teenage pregnancy; of which not less than \$25,000,000 shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: *Provided further*, that in addition to amounts provided herein for teenage pregnancy prevention, \$4,455,000 shall be available from amounts under section 241 of the PHS Act to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further*, That \$2,000,000 shall be for a human services case management system for Federally-declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That up to \$2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness: *Provided further*, That of the funds appropriated under this heading, \$1,000,000 shall be transferred to the National Commission on Children and Disasters to carry out title VI of division G of Public Law 110-161: *Provided further*, That \$14,819,000 shall be used for the projects, and in the amounts, specified under the heading "Children and Families Services Programs" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, \$345,000,000 and section 437 of such Act, \$63,311,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$5,532,000,000.

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, for the first quarter of fiscal year 2011, \$1,850,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV-E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, section 398 and title XXIX of the Public Health Service Act, and section 119 of the Medicare Improvements for Patients and Providers Act of 2008, \$1,530,881,000, of which \$5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions: *Provided*, That \$5,079,000 shall be used for the projects, and in the amounts, specified under the heading "Aging Services Programs" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act ("PHS Act"), the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$397,601,000, together with \$5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, and \$69,756,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, \$53,891,000 shall be for minority AIDS prevention and treatment activities; \$5,789,000 shall be to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002; and \$1,000,000 shall be transferred, not later than 30 days after enactment of this Act, to the National Institute of Mental Health to administer the Interagency Autism Coordinating Committee: *Provided further*, That of the funds made available under this heading for carrying out title XX of the PHS Act, \$13,120,000 shall be for activities specified under section 2003(b)(2), of which \$9,840,000 shall be for programs that replicate the elements of one or more teenage pregnancy prevention programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy or reduce behavioral risk factors underlying teenage pregnancy, and of which \$3,280,000 shall be for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teen pregnancy, without application of the limitation of section 2010(c) of such title XX: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide, to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4): *Provided further*, That \$700,000 shall be used for the

projects, and in the amounts, specified under the heading "General Departmental Management" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided further*, That specific information requests from the chairmen and ranking members of the Subcommittees on the Departments of Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, shall be transmitted to the Committees on Appropriations of the House of Representatives and the Senate ("Committees on Appropriations") in a prompt, professional manner and within the time frame specified in the request: *Provided further*, That scientific information, including such information provided in congressional testimony, requested by the Committees on Appropriations and prepared by government researchers and scientists shall be transmitted to the Committees on Appropriations, uncensored and without delay.

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), \$71,147,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, \$61,342,000, which shall be available from amounts available under section 241 of the Public Health Service Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, \$50,279,000: *Provided*, That of such amount, necessary sums shall be available for providing protective services to the Secretary of Health and Human Services and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228: *Provided further*, That at least forty percent of the funds provided in this Act for the Office of Inspector General shall be used only for investigations, audits, and evaluations pertaining to the discretionary programs funded in this Act.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$37,785,000, together with not to exceed \$3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies and to pay the costs described in section 319F-2(c)(7)(B) of the Public Health Service Act ("PHS Act"), \$607,482,000; of which \$35,565,000 shall be to support preparedness and emergency operations, of which \$5,000,000 shall remain available through September 30, 2011; and of which \$10,000,000, to remain available through September 30, 2011, shall be to support the delivery of medical countermeasures: *Provided*, That of the amount made available herein for the delivery of medical countermeasures, up to \$8,000,000 may be transferred to the U.S. Postal Service to support delivery of medical countermeasures.

For expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act, \$305,000,000, to be derived by transfer from funds appropriated under the heading "Biodefense Countermeasures" in the Department of Homeland Security Appropriations Act, 2004, to remain available through September 30, 2011.

For expenses necessary to prepare for and respond to an influenza pandemic, \$354,167,000, of which \$276,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2(a) of the PHS Act: *Provided further*, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics: *Provided further*, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this paragraph.

All remaining balances from funds appropriated under the heading "Biodefense Countermeasures" in the Department of Homeland Security Appropriations Act, 2004, shall be transferred to this account, and shall remain available for obligation through September 30, 2013, for the procurement of medical countermeasures pursuant to section 319F-2(c) of the PHS Act: *Provided*, That products purchased with these funds shall be deposited in the Strategic National Stockpile under section 319F-2(a) of the PHS Act.

For expenses necessary for fit-out and other costs related to a competitive lease procurement to renovate or replace the existing headquarters building for Public Health Service agencies and other components of the Department of Health and Human Services, \$70,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$50,000 for official reception and representation expenses when specifically approved by the Secretary of Health and Human Services.

SEC. 202. The Secretary of Health and Human Services shall make available through assignment not more than 60 em-

ployees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 204. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the preparation and submission of a report by the Secretary of Health and Human Services to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 205. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary of Health and Human Services shall determine, but not more than 2.4 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 207. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award cer-

tifies to the Secretary of Health and Human Services that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary of Health and Human Services denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. (a) Except as provided by subsection (e) none of the funds appropriated for fiscal year 2010 or any subsequent fiscal year by this or any subsequent appropriations Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act ("PHS Act") if such State certifies to the Secretary of Health and Human Services by May 1 of the fiscal year for which the funds are appropriated that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary under section 1926 of such Act.

(c) The State is to maintain State expenditures in such fiscal year for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for the preceding fiscal year, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all State obligations of funds for such fiscal year and all State expenditures for the preceding fiscal year for tobacco prevention and compliance activities by program activity by July 31 of such fiscal year.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31 of such fiscal year.

(e) None of the funds appropriated by this or any subsequent appropriations Act may be used to withhold substance abuse funding pursuant to section 1926 of the PHS Act from a territory that receives less than \$1,000,000.

SEC. 213. In order for the Department of Health and Human Services to carry out international health activities, including HIV/AIDS and other infectious disease,

chronic and environmental disease, and other health activities abroad during fiscal year 2010:

(1) The Secretary of Health and Human Services may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary of Health and Human Services is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 214. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health (“Director”) may use funds available under section 402(b)(7) or 402(b)(12) of the Public Health Service Act (“PHS Act”) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 215. Notwithstanding any other provisions of law, funds made available under this Act may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102-408.

SEC. 216. Not to exceed \$35,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed \$2,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for the National Institutes of Health, 1 per-

cent of the amount made available for National Research Service Awards (“NRSA”) shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under section 747 of the Public Health Service Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

This title may be cited as the “Department of Health and Human Services Appropriations Act, 2010”.

TITLE III—DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (“ESEA”) and section 418A of the Higher Education Act of 1965, \$15,938,215,000, of which \$4,850,510,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011, and of which \$10,841,176,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011, for academic year 2010–2011: *Provided*, That \$6,597,946,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to \$4,000,000 of these funds shall be available to the Secretary of Education on October 1, 2009, to obtain annually updated local educational-agency-level census poverty data from the Bureau of the Census: *Provided further*, That \$1,365,031,000 shall be for concentration grants under section 1124A of the ESEA: *Provided further*, That \$3,264,712,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That \$3,264,712,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That \$9,167,000 shall be to carry out sections 1501 and 1503 of the ESEA: *Provided further*, That \$545,633,000 shall be available for school improvement grants under section 1003(g) of the ESEA and, notwithstanding such section, each State educational agency shall ensure that not less than 50 percent of its allocation of funds under this proviso is used for evidence-based reading instruction: *Provided further*, That State and local educational agencies may use fiscal year 2009 appropriations, and funds appropriated in this Act, for school improvement grants under section 1003(g) of the ESEA for any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least two years or is in a State’s lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: *Provided further*, That the ESEA title I, part A funds awarded to local educational agencies under the American Recovery and Reinvestment Act of 2009 for fiscal year 2009 shall not be considered for the purpose of calculating hold-harmless amounts under subsections 1122(c) and 1125A(g)(3) in making allocations under title I, part A for fiscal year 2010 and succeeding years.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$1,290,718,000, of which \$1,151,535,000 shall be for basic support payments under section 8003(b), \$48,602,000 shall be for payments for children with disabilities under section 8003(d), \$17,509,000 shall be for construction under section 8007(a) and shall remain available

through September 30, 2010, \$68,208,000 shall be for Federal property payments under section 8002, and \$4,864,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2009–2010, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A, B, and D of title II, part B of title IV, subparts 6 and 9 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 (“ESEA”); the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, \$5,239,644,000, of which \$3,375,993,000 shall become available on July 1, 2010, and remain available through September 30, 2011, and of which \$1,681,441,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011, for academic year 2010–2011: *Provided*, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of public elementary schools, public secondary schools, and structures related to public elementary schools and secondary schools, if such construction, renovation, or modernization would support achievement of the purposes of that part: *Provided further*, That funds made available to carry out part C of title VII of the ESEA may be used for construction: *Provided further*, That the Secretary shall implement part C of title VII of the ESEA without regard to the requirements of section 7304(d)(2): *Provided further*, That up to 100 percent of the funds available to a State educational agency under part D of title II of the ESEA may be used for subgrants described in section 2412(a)(2)(B) of such Act: *Provided further*, That \$57,113,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: *Provided further*, That \$26,328,000 shall be available to carry out part D of title V of the ESEA: *Provided further*, That no funds appropriated under this heading may be used to carry out section 5494 under the ESEA: *Provided further*, That \$17,687,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided further*, That up to 5 percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services: *Provided further*, That \$9,360,000 of the funds available for the Foreign Language Assistance Program shall

be available for 5-year grants to local educational agencies that would work in partnership with one or more institutions of higher education to establish or expand articulated programs of study in languages critical to United States national security that will enable successful students to advance from elementary school through college to achieve a superior level of proficiency in those languages.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, \$132,282,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965 ("ESEA"), and by part F of title VIII of the Higher Education Act of 1965, \$1,353,363,000: *Provided*, That \$10,649,000 shall be provided to the National Board for Professional Teaching Standards to carry out section 2151(c) of the ESEA, including \$1,000,000 to develop a National Board certification for principals of elementary and secondary schools: *Provided further*, That from funds for subpart 4, part C of title II of the ESEA, up to 3 percent shall be available to the Secretary of Education for technical assistance and dissemination of information: *Provided further*, That \$666,530,000 shall be available to carry out part D of title V of the ESEA: *Provided further*, That \$51,732,000 shall be used for the projects, and in the amounts, specified under the heading "Innovation and Improvement" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided further*, That \$445,864,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one non-profit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: *Provided further*, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: *Provided further*, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach and evaluation activities: *Provided further*, That from funds for subpart 1 of part D of title V of the ESEA, up to \$10,000,000 shall be available to carry out activities authorized under section 2151(a) of the ESEA: *Provided further*, That of the funds available for section 2151(b), \$5,000,000 shall be available to continue a national school leadership partnership initiative as described under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act: *Provided further*, That of the funds available for part B of title V, the Secretary shall use up to \$21,031,000 to carry out activities under section 5205(b) and under subpart 2, and shall use not less than \$195,000,000 to carry out other activities authorized under subpart 1: *Provided further*, That of the funds available for subpart 1 of part B of title V of the ESEA, and notwithstanding section 5205(a), the Secretary may reserve up to \$20,000,000 to make multiple awards to charter management organiza-

tions and other entities for the replication and expansion of successful charter school models and may reserve up to \$10,000,000 to carry out the activities described in section 5205(a), including by providing technical assistance to authorized public chartering agencies in order to increase the number of high-performing charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include planning, training and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the obligations and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school's charter.

STATE FISCAL STABILIZATION FUND, RECOVERY ACT

For an additional amount for the Innovation Fund established pursuant to section 14007 of division A of the American Recovery and Reinvestment Act of 2009, \$3,000,000.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2 and 10 of part D of title V of the Elementary and Secondary Education Act of 1965, \$395,753,000: *Provided*, That \$195,041,000 shall be available for subpart 2 of part A of title IV, of which \$2,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence ("Project SERV") program to provide education-related services to local educational agencies and to institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: *Provided further*, That \$133,000,000 shall be available to carry out part D of title V: *Provided further*, That of the funds available to carry out subpart 3 of part C of title II, up to \$13,383,000 may be used to carry out section 2345 and \$2,957,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the State legislatures.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the Elementary and Secondary Education Act of 1965, \$760,000,000, which shall become available on July 1, 2010, and shall remain available through September 30, 2011, except that 6.5 percent of such amount shall be available on October 1, 2009, and shall remain available through September 30, 2011, to carry out activities under section 3111(c)(1)(C): *Provided*, That the Secretary of Education shall use estimates of the American Community Survey child counts for the most recent 3-year pe-

riod available to calculate allocations under such part.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act ("IDEA") and the Special Olympics Sport and Empowerment Act of 2004, \$12,579,677,000, of which \$3,726,354,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011, and of which \$8,592,383,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011, for academic year 2010-2011: *Provided*, That \$13,250,000 shall be for Recording for the Blind and Dyslexic, Inc., to support the development, production, and circulation of accessible educational materials: *Provided further*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2009, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percentage change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2009: *Provided further*, That funds made available for the Special Olympics Sport and Empowerment Act of 2004 may be used to support expenses associated with the Special Olympics National and World games.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$3,504,305,000: *Provided*, That \$2,570,000 shall be used for the projects, and in the amounts, specified under the heading "Rehabilitation Services and Disability Research" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, \$22,599,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, \$68,437,000, of which \$5,400,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$120,000,000, of which \$2,000,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006, the Adult Education and Family Literacy Act ("AEFLA"), subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965 ("ESEA") and title VIII-D of the Higher Education Amendments of 1998, \$2,016,447,000, of which \$4,400,000 shall become available on October 1, 2009, and remain available through September 30, 2011, of

which \$1,221,047,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011, and of which \$791,000,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011: *Provided*, That in allocating AEFLA State grants, the Secretary of Education shall first distribute up to \$45,907,000 to those States that, due to administrative error, were underpaid for fiscal years 2003 through 2008 in the amounts such States were underpaid: *Provided further*, That the Secretary shall not reduce the allocations for those years to the States that were overpaid through such error, or take other corrective action with respect to those overpayments: *Provided further*, That the additional funds provided to States to correct the administrative error shall not be considered in determining the "hold harmless" amounts under section 211(f) of the AEFLA for fiscal year 2011 or subsequent fiscal years: *Provided further*, That of the amount provided for Adult Education State Grants, \$75,000,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: *Provided further*, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the AEFLA, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than \$60,000: *Provided further*, That of the amounts made available for AEFLA, \$11,346,000 shall be for national leadership activities under section 243: *Provided further*, That \$88,000,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the ESEA, of which up to 5 percent shall become available on October 1, 2009, and shall remain available through September 30, 2011, for evaluation, technical assistance, school networks, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2010, and remain available through September 30, 2011, for grants to local educational agencies: *Provided further*, That funds made available to local educational agencies under this subpart shall be used only for activities related to establishing smaller learning communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools: *Provided further*, That the Secretary of Education may use amounts available under this heading for the necessary costs of any closeout of the National Institute for Literacy.

STUDENT FINANCIAL ASSISTANCE (INCLUDING DEFERRAL OF FUNDS)

For carrying out subparts 1, 3, and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, \$19,634,905,000, which shall remain available through September 30, 2011.

The maximum Pell Grant for which a student shall be eligible during award year 2010–2011 shall be \$4,860.

Of the funds made available under section 401A(e)(1)(D) of the Higher Education Act of 1965, \$511,000,000 shall not be available until October 1, 2010.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 4, and 9 of part A, and parts B, C, D, and E of title IV of the Higher Education Act of 1965, \$870,402,000, which shall remain available until expended.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 ("HEA"), section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, title VIII of the Higher Education Amendments of 1998, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, \$2,293,882,000: *Provided*, That \$9,687,000, to remain available through September 30, 2011, shall be available to fund fellowships for academic year 2011–2012 under subpart 1 of part A of title VII of the HEA, under the terms and conditions of such subpart 1: *Provided further*, That \$609,000 shall be for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: *Provided further*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That notwithstanding any other provision of law, a recipient of a multi-year award under section 316 of the HEA, as that section was in effect prior to the date of enactment of the Higher Education Opportunity Act ("HEOA"), that would have otherwise received a continuation award for fiscal year 2010 under that section, shall receive under section 316, as amended by the HEOA, not less than the amount that such recipient would have received under such a continuation award: *Provided further*, That the portion of the funds received under section 316 by a recipient described in the preceding proviso that is equal to the amount of such continuation award shall be used in accordance with the terms of such continuation award: *Provided further*, That \$1,000,000, to remain available until expended, shall be available to carry out a scholarship program for the purpose of increasing the skilled workforce for industrial health and safety occupations, including mine safety: *Provided further*, That the Secretary of Education shall identify these scholarships as "Erma Byrd Scholarships": *Provided further*, That such scholarships shall be awarded without regard to an applicant's prior work experience, but the Secretary shall, notwithstanding section 437 of the General Education Provisions Act and 5 U.S.C. 553, by notice in the Federal Register, establish the eligibility requirements, service obligations, payback requirements, and other program requirements similar to those specified in section 515 of the Federal Mine Safety and Health Act as are necessary to implement such a program: *Provided further*, That such scholarship funds may be used to replace a student's expected family contribution, but institutions accepting such scholarship funds may not use these funds to

supplant existing institutional aid: *Provided further*, That the Secretary shall be authorized to accept contributions for such scholarships from private sources: *Provided further*, That these funds shall be used for scholarships for academic year 2010–2011 and may be available for scholarships in academic year 2011–2012: *Provided further*, That \$68,247,000 shall be used for the projects, and in the amounts, specified under the heading "Higher Education" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

HOWARD UNIVERSITY

For partial support of Howard University, \$234,977,000, of which not less than \$3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the Higher Education Act of 1965, \$461,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, \$20,228,000, as authorized pursuant to part D of title III of the Higher Education Act of 1965 ("HEA"): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$178,221,000.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, \$354,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, \$664,256,000, of which \$593,606,000 shall be available through September 30, 2011: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used for Statewide data systems that include postsecondary and workforce information and information on children of all ages: *Provided further*, That up to \$10,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for State data coordinators and for awards to public or private organizations or agencies to improve data coordination, quality, and use.

DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$452,200,000, of which \$8,200,000, to remain available until expended, shall be for relocation of, and renovation of buildings occupied by, Department staff.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$103,024,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section

212 of the Department of Education Organization Act, \$60,053,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the Elementary and Secondary Education Act.

SEC. 306. None of the funds made available in the fifth proviso under the heading "Innovation and Improvement" in this Act shall be made available for new awards under the Teacher Incentive Fund prior to the submission of an impact evaluation plan to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 307. Section 14007 of division A of the American Recovery and Reinvestment Act of 2009 is amended—

(1) by amending subsection (a)(3) to read as follows:

"(3) PURPOSE OF AWARDS.—The Secretary shall make awards to eligible entities in order to identify, document, and bring to scale innovative best practices based on demonstrated success, to allow such eligible entities to—

"(A) expand their work and serve as models for best practices; and

"(B) work in partnership with the private sector and the philanthropic community.";

(2) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as paragraphs (1)(A), (1)(B), (2), and (3), respectively;

(B) in paragraph (1)(A), as so redesignated, by inserting "or" after the semicolon;

(C) by amending paragraph (1)(B), as so redesignated, to read as follows:

"(B) have demonstrated success in significantly increasing student academic achievement for all groups of students described in such section;" and

(D) in paragraph (3), as so redesignated, by striking "they have established partnerships" and inserting "it has established one or more partnerships";

(3) in subsection (c), by striking "paragraphs" and all that follows through "such requirements" and inserting "paragraphs (1)(A) or (1)(B) and (2) of subsection (b) if the nonprofit organization has a record of significantly improving student achievement, attainment, or retention and shall be considered to have met the requirements of subsection (b)(3) if it demonstrates that it will meet the requirement relating to private-sector matching"; and

(4) by adding at the end a new subsection (d) to read as follows:

"(d) SUBGRANTS.—In the case of an eligible entity that is a partnership described in subsection (a)(1)(B), the partner serving as the fiscal agent may make subgrants to one or more of the other entities in the partnership."

This title may be cited as the "Department of Education Appropriations Act, 2010".

TITLE IV—RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92-28, \$5,396,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service ("the Corporation") to carry out the Domestic Volunteer Service Act of 1973 ("1973 Act") and the National and Community Service Act of 1990 ("1990 Act"), \$792,179,000, of which \$318,832,000 shall be to carry out the 1973 Act and \$473,347,000 shall be to carry out the 1990 Act and notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) \$35,000,000 shall be available for expenses authorized under section 501(a)(4)(E) of the 1990 Act; (3) \$7,500,000 shall be available for expenses to carry out sections 112(e), 179A, and 198O and subtitle J of title I of the 1990 Act, notwithstanding section 501(a)(6) of the 1990 Act; (4) \$5,000,000 shall be available for grants to public or private nonprofit institutions to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, notwithstanding section 129(k)(1) of the 1990 Act; and (5) \$17,000,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act.

NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the National Service Trust established under subtitle D of title I of the National and Community Service Act of 1990 ("1990 Act"), \$178,214,000, to remain available until expended: *Provided*,

That the Corporation for National and Community Service may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the National and Community Service Act of 1990 and under section 504(a) of the Domestic Volunteer Service Act of 1973, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$80,923,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$7,700,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. The Corporation for National and Community Service ("the Corporation") shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2010, during any grant selection process, an officer or employee of the Corporation shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of the Corporation that is authorized by the Corporation to receive such information.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first three years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the National and Community Service Act of 1990, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to the Corporation for National and Community Service under section 196 of the National and Community Service Act of 1990 ("1990 Act") for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitles B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("Corporation"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2012, \$440,000,000: *Provided*, That none of the funds made available to the Corporation by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to the Corporation by this Act shall be available or used to aid or support

any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to the Corporation by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of the Corporation: *Provided further*, That none of the funds made available to the Corporation by this Act shall be used to support the Television Future Fund or any similar purpose.

In addition, for payment to the Corporation for fiscal year 2010, \$76,000,000 as follows:

(1) \$40,000,000 shall be for fiscal stabilization grants to public radio and television licensees, with no deduction for administrative or other costs of the Corporation, to maintain local programming and services and preserve jobs threatened by declines in non-Federal revenues due to the downturn in the economy, to be awarded no later than 45 days after enactment of this Act; and

(2) \$36,000,000 shall be for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives.

In addition, for fiscal year 2010, \$25,000,000 is available pursuant to section 396(k)(10) of the Communications Act of 1934 for replacement and upgrade of the public radio interconnection system.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the Labor Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, \$47,000,000, including \$650,000 to remain available through September 30, 2011, for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, \$9,858,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Cul-

ture Act, \$275,688,000, of which \$10,132,000 shall be used for the projects, and in the amounts, specified under the heading "Office of Museum and Library Services: Grants and Administration" in the report of the Committee on Appropriations of the House of Representatives accompanying this Act.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$11,800,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, \$3,271,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, \$283,400,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, \$12,992,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, \$11,712,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$64,000,000, which shall include amounts becoming available in fiscal year 2010 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2011, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$109,073,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General ("Office") for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than \$8,186,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office, except as permitted pursuant to the last proviso under this heading in division G of the Consolidated Appropriations Act, 2008.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$20,404,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$34,742,000,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2011, \$16,000,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$40,000 for official reception and representation expenses, not more than \$10,800,500,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That not less than \$2,300,000 shall be for the Social Security Advisory Board: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2010 not needed for fiscal year 2010 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this

information technology and telecommunications infrastructure: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the first paragraph, not less than \$273,000,000 shall be available for the cost associated with conducting continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

In addition to the amounts made available above, and subject to the same terms and conditions, \$485,000,000, for additional continuing disability reviews and redeterminations of eligibility, of which, upon a determination by the Office of the Chief Actuary that such initiative would be at least as cost effective as redeterminations of eligibility, up to \$34,000,000 shall be available for one or more initiatives to improve asset verification: *Provided*, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these additional amounts, similar to the reports that were required by section 103(d)(2) of Public Law 104-121 for fiscal years 1996 through 2002.

In addition, \$160,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2010 exceed \$160,000,000, the amounts shall be available in fiscal year 2011 only to the extent provided in advance in appropriations Acts.

In addition, up to \$1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$29,000,000, together with not to exceed \$73,682,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate.

TITLE V—GENERAL PROVISIONS (TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

- (1) the percentage of the total costs of the program or project which will be financed with Federal money;
- (2) the dollar amount of Federal funds for the project or program; and
- (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

- (1) if the pregnancy is the result of an act of rape or incest; or
- (2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than

a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

- (1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and
- (2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the

United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act, as amended by the Children's Internet Protection Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 515. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates new programs;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes or renames offices;
- (6) reorganizes programs or activities; or
- (7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects (including construction projects), or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or
- (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

SEC. 516. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the

candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.

SEC. 517. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2010 that are different than those specified in this Act, the accompanying detailed table in the committee report, or the fiscal year 2010 budget request.

SEC. 518. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding \$100,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2010, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 519. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 520. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 521. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 522. None of the funds made available in this Act may be used in contravention of title IV of the Personal Responsibility and

Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

SEC. 523. None of the funds contained in this Act may be used to distribute any needle or syringe for the hypodermic injection of any illegal drug in any location which is within 1,000 feet of a public or private day care center, elementary school, vocational school, secondary school, college, junior college, or university, or any public swimming pool, park, playground, video arcade, or youth center, or an event sponsored by any such entity.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 111-222. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be not be subject to amendment, and shall not be subject to a demand for division of the question.

After disposition of the amendments specified in the first section of House Resolution 673, the Chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

AMENDMENT NO. 1 OFFERED BY MR. OBEY

The CHAIR. It is now in order to consider Amendment No. 1 printed in House Report 111-222.

Mr. OBEY. Mr. Chairman, I have a manager's amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBEY:
Page 8, line 3, insert "(reduced by \$5,000,000)" after the dollar amount.

Page 8, line 12, insert "(increased by \$5,000,000)" after the dollar amount.

Page 26, line 24, insert "(reduced by \$1,000,000)" after the first dollar amount.

Page 33, line 14, insert "(increased by \$1,000,000)" after the first dollar amount.

Page 39, line 10, insert "(increased by \$1,000,000)" after the aggregate dollar amount.

Page 40, line 10, insert "(increased by \$1,000,000)" after the dollar amount.

Page 40, line 12, insert "(reduced by \$1,000,000)" after the dollar amount.

Page 65, line 13, after "III," insert "IV,".

Page 65, line 17, insert "(reduced by \$1,000,000)" after the aggregate dollar amount.

Page 84, line 17, insert "(increased by \$5,000,000)" after the aggregate amount.

Page 84, line 18, insert "(increased by \$5,000,000)" after the dollar amount.

Page 86, line 25, insert "(reduced by \$6,000,000)" after the aggregate dollar amount.

Page 87, line 9, insert "(reduced by \$9,000,000)" after the dollar amount.

Page 88, line 24, insert "(increased by \$10,000,000)".

Page 90, line 6, insert before the period at the end the following: "Provided further, That \$6,965,000 of the funds available to carry out subpart I of part D of title V of the ESEA shall be used for the Reach Out and Read program".

Page 97, line 18, insert "(increased by \$1,000,000)" after the first dollar amount.

Page 100, line 2, after the colon, insert the following: "Provided further, That of the funds available under part B of title VII of the HEA, \$1,000,000 shall be used to implement section 891 of the HEA:".

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. _____. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.124 of title 41, Code of Federal Regulations.

The CHAIR. Pursuant to House Resolution 673, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1230

Mr. OBEY. Mr. Chairman, this amendment, I believe, is not controversial. It incorporates several amendments requested by Members and makes technical corrections to the underlying bill. These adjustments are fully offset and do not change the bottom-line funding for the bill.

Briefly, the amendment provides an additional \$5 million for the Career Pathways Innovation Fund within the Department of Labor requested by Mr. TEAGUE, offset by a reduction in the green jobs fund.

It contains an additional million dollars for the emergency medical services for children's programs. As a result, the total of \$21 million is included in the bill to bring improved emergency medical care to children due to Mr. MATHESON's work on this issue.

It contains an additional \$1 million for the National Center for Health Statistics within the Centers for Disease Control, fully offset. As a result, the bill includes \$140 million for the collection of critical health statistics. Mr. COHEN sponsored this important amendment.

Mathematics and Science Partnership program is increased by \$5 million to \$184 million to expand professional development for math and science teachers. Again, it is fully offset. It was urged by Mr. HOLT and Mr. EHLERS and others.

The amendment provides nearly \$7 million for the Reach Out and Read program within the fund for improvement of education in the Department of Education. It will result in an additional \$2 million for books to help children learn to read due to the efforts of Mr. MCGOVERN.

The amendment increases the amount from \$20 million to \$30 million within the charter schools program in the Department of Education that may be used for grants to charter management organizations. It replicates successful charter models at the request of Mr. POLIS.

The amendment provides \$1 million for university-based modeling and simulation programs newly authorized by

the Higher Education Act proposed by Mr. SCOTT.

It then includes two funding limitation amendments sponsored by Mr. CUELLAR with respect to the Federal management program designation and a prohibition on the use of funds in the bill for any first class travel in the agencies funded under this bill.

And the amendment also makes technical correction.

I would be happy to yield briefly to Mr. COHEN.

Mr. COHEN. I rise to thank Chairman OBEY for his inclusion of \$1 million to be directed to the National Center for Health Statistics. This was requested in the hopes that it would end up with some funds being used to study enhanced birth certificates across the Nation.

The National Center for Health Statistics faces a funding shortage, inhibiting their ability to study these vital records which is a roadblock to understanding the high infant mortality rate that plagues our Nation, in particular my city of Memphis. We have a rate that is the highest in the country and rivals that of Third World nations. It's unacceptable in America.

It's these types of programs that will help move America forward. We must work together to lower our Nation's infant mortality rate. It starts with gaining a statistical knowledge of why these deaths occur. I wholeheartedly support Chairman OBEY's inclusion of the funding for the National Center for Health Statistics, and I urge a "yes" vote on the bill.

Thank you for the time.

Mr. OBEY. I would be happy to yield to Mr. TEAGUE.

Mr. TEAGUE. I thank Chairman OBEY.

And, Mr. Chairman, I rise today in support of my energy jobs amendment to the Labor-H Appropriations Act. The amendment takes \$5 million from the green jobs fund and puts that money into the Career Pathways Fund for the purpose of job training in all energy fields.

Now, let me be clear. I do not oppose green jobs and I don't oppose green energy. Quite the opposite. We need all the jobs we can get, and we need all the energy that we can produce. But as we work in Congress to make up for the inaction on energy issues of this decade, the inaction that led to a dependence on foreign oil and high energy costs, we cannot pretend that green energy will solve all of our problems. We cannot pretend that the American economy does not depend on oil and gas. We cannot forget that nuclear energy is a safe, dependable and carbon-neutral source of power.

Mr. Chairman, I am an oilman, always have been, always will be. When I arrived in Congress, the oil and gas industry was in the trough. It still is. Around my hometown of Hobbs, if you're not looking for a job yourself, you surely know a handful of folks who are. Times are tough; work is scarce.

We're hoping that that will change soon, however; and when the oil and gas industry comes out of the trough, we're going to need to find a lot of trained and skilled oil field workers in a hurry.

I want to help make New Mexico the all-energy capital of the world. We want to double up on energy jobs, grow the number of oil and gas jobs we have, and add new energy jobs. But let me be clear. In order to double up on energy jobs, we must increase the oil and gas jobs we have, and we can't do that if job training programs ignore the needs of the oil and gas industry.

Mr. OBEY. I thank the gentleman.

I reserve the balance of my time.

Mr. TIAHRT. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Kansas is recognized for 10 minutes.

Mr. TIAHRT. Mr. Chairman, I'm not opposed to the chairman's amendment in substance, but I am opposed to the amendment in process.

The amendment incorporates nine separate stand-alone amendments offered by Democrat Members of this body, thus ensuring that those Members would not have to go to the Rules Committee and plead just to have a perfectly legitimate amendment proposed on the floor.

It incorporates no Republican amendments. If I heard the chairman correctly this morning, there are 10 that could have been included, but were not.

Looking through the list of what's in the chairman's amendment, there is Career Pathways Innovation Fund for \$5 million with an offset. There's a health resources and service administration with a \$1 million offset. Going through the list, there's really not much that brings out any controversy. They could have stood alone. There perhaps is one that would not have been legitimate standing alone, which would include a prohibition to purchase light bulbs unless the light bulbs are Energy Star qualified or have a Federal energy management program designation. I think that one is probably protected under the rule.

But let me tell you what was not included because these amendments were not made in order. What was not included was a commonsense amendment to use technology to reduce unemployment insurance, improper and fraudulent payments.

What was not included was an amendment to prohibit the Department of Education from shutting down the largest student loan program that exists today.

What was not in order was an amendment to prohibit the Secretary of Health and Human Services from setting up any kind of rationed health care system.

What was not included was an amendment to prevent the government from nationalizing our health care system.

What was not included was an amendment to prevent the government

from imposing a costly health care mandate on small businesses which, if it had been permitted to be considered and if it had passed, would have saved hundreds of thousands, if not millions, of jobs.

What was not included was an amendment to ensure that the only entity setting up Medicare reimbursement rates is the Center for Medicare and Medicaid Services, not any other government agency or bureaucracy.

What is not included was a shift to add \$1 billion to special education for new, never-before-tried programs.

What was not included was an amendment before us that would have addressed other issues that are important.

But what is in the amendment that is before us is systematically what's wrong with the process, and it disenfranchises the American people. So, therefore, I would urge a "no" vote.

I yield back the balance of my time.

Mr. OBEY. Could I ask how much time I have remaining.

The CHAIR. The gentleman from Wisconsin has 5 minutes remaining.

Mr. OBEY. Let me consume 1 minute of that time myself.

Mr. Chairman, all I would say is that I've had at least two Members of the Republican side of the aisle come up and thank me for accepting various amendments. So while they may not have been the lead sponsors on amendments, they were certainly involved on the Republican side of the aisle in supporting some of the amendments that we have accepted and incorporated.

Secondly, I think the gentleman's recitation of some of the amendments that were not considered illustrates my point earlier. The first amendment that he mentioned was an amendment that was clearly not in order under the Budget Act. It would have put this entire bill under a violation of the Budget Act for being over our allowable funding. I didn't think good conservatives would want us to do that.

Secondly, I would point out that the second, third and fourth option he was talking about all speak to what kind of health care reform we should have, and that is not the jurisdiction of this committee. Those issues right now are being worked on in the Energy and Commerce Committee; they're being worked on in the Education and Labor Committee; they're being worked on in the Ways and Means Committee. And that's where they should remain.

Having said that, I would now like to yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Thank you very much, Mr. Chairman.

Let me just say I rise in strong support of this amendment and this bill, and I want to thank Chairman OBEY for yielding, and I want to thank the chairman and his staff and my staff of the subcommittee and all of our staffs for producing this very excellent bill.

Mr. Chair, our Nation is in the midst of, as all know, the worst economic cri-

sis since the Great Depression. Families are losing their jobs, losing their homes, losing their access to health care. People are hurting, and they really do need our help. That's why this bill is so important.

From expanding support for education initiatives like early childhood education, to job training and employment services, to expanding access to health care and improving public health, this bill will provide a critical range of services and support for our constituents, especially during these very devastating times.

I want to thank the chairman for including a number of very important priorities that many of my colleagues requested, in particular, \$653 million to strengthen Historical Black Colleges and Universities, predominantly black institutions, Hispanic-serving institutions, and other developing institutions. And this is a \$110 million increase over the President's request for HBCUs.

Also, for a \$54 million increase for HIV/AIDS funding through the Ryan White CARE Act and a \$56 million increase for the CDC's HIV/AIDS bureau.

We also included \$50 million for green jobs training programs, building on the \$500 million we provided in the Recovery Act. And this is extremely important because there are those individuals who need to be trained and need the skills for this great trillion-dollar industry that is emerging in our country.

And, also, I want to thank the chairman for replacing the discredited and ineffective abstinence-only programs with the President's evidence-based Teen Pregnancy Prevention Initiative to fund proven approaches to reduce unintended pregnancies and sexually transmitted infections. This is a huge, huge step in the right direction to ensure the health of our young teenage girls and boys.

These critical investments will help put our Nation back on the right track, and I urge my colleagues to vote for the amendment and the bill. I thank you, the chairman, for his leadership.

Mr. OBEY. I yield 1¼ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my chairman of the committee.

This is a good bill, but the other side wants to change it by restricting access to reproductive services, by limiting research in AIDS, and particularly—and this is the issue I want to speak to right now—by preventing the exchange of clean needles among drug addicts.

Well, I think people need to know that we have had experimentation with this kind of punitive prohibitive action because over the last several years the same people as are pushing this amendment have been successful in imposing this restriction on the District of Columbia, and we know what the results are.

For the last 6 years, we have seen an increase in AIDS among female resi-

dents of the District of Columbia of 76 percent. We now have a larger number of women with AIDS in D.C. than in any place in the country. Now, why? Well, it hasn't happened in other cities. In fact, in New York City they saw a reduction of 75 percent in AIDS infection since they were able to make clean needles available. 61 percent of women who have AIDS get it through injection of dirty needles.

Now, of course, it's women also who have babies, and what could be worse than a child born to a life of suffering, deprivation and early death? But, in fact, largely as a result of what was the Tiahrt amendment imposed on D.C. for the last 6 years, there is now a rate of children born with AIDS that is 54 times the rest of the country children of women with AIDS from with HIV infection, is 54 times greater in D.C. largely because of the Tiahrt amendment to prohibit clean needle availability.

Now, this is the result of the kind of punitive legislation that the other side would like to impose on the rest of the country with this bill.

Let's keep this bill clean. It's a good bill.

Mr. OBEY. Mr. Chairman, I would simply urge adoption of the manager's amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

□ 1245

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111-222.

Mr. SOUDER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SOUDER:

At the end of the bill (before the short title), insert the following:

Sec. ____ None of the funds made available by this Act may be used to provide individuals with hypodermic needles or syringes under section 300ee-5 of title 42, United States Code.

The CHAIR. Pursuant to House Resolution 673, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. I yield myself 2 minutes. Contrary to what was just said on the House floor, in fact, Dr. David Murray has pointed out in research that it's very mixed. In fact, in most cases,

the HIV virus does not come through needles. The overwhelming majority comes through sexual activity, not through the needles.

The District of Columbia, which seeks money from the Federal Government, unlike any other city, is then subject to restrictions. The District of Columbia had the strictest gun laws in the United States, yet led the country in the murder rate. The rest of the country can't be blamed for whatever problems they may have that are behavioral related in the District of Columbia.

The fundamental question is why Congress has repeatedly, over and over, banned needle exchange programs, when, given the opportunity, is: One, they may undermine community drug-prevention messages and programs. Two, providing needles acts as a way for drug users to sustain and support their intravenous drug use and does not address the primary illness of the drug addiction itself.

And, three, needle exchange programs direct critical resources away from treatment and intervention programs which have not proven to significantly affect HIV infection rates and drug use. Arguably, there is some, but it has not been substantial.

I reserve the balance of my time.

Mr. OBEY. I claim time in opposition.

The CHAIR. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. OBEY. I would ask the gentleman if he can proceed with another speaker until my speaker gets here.

Mr. SOUDER. I yield myself 3 additional minutes. I want to go through a number of statements regarding the needle exchange programs. This is a series of questions with Dr. David Murray, who was the ONDC policy analyst and expert in needle exchange, to resolve some of these.

In a nutshell, why doesn't the Federal Government fund needle exchange programs? The existing evidence cannot support the claim that distribution of needles to enable continued drug addiction behavior can meet these criteria.

Another question was: What is the current state of research regarding needle exchange programs? The most recent comprehensive analysis of the evidence by the U.S. Institute of Medicine is much retrenched from earlier claims that there were these overwhelming results.

For example, the report notes that the evidence that needle exchanges reduce HIV incidence is limited and inconclusive, that the evidence is even worse for Hepatitis C transmission, and that their impact on high-risk behaviors like sex-related risk is inconclusive.

What's the risk in States experimenting with implementing their own needle exchange programs? Are there potential unintended consequences? Indeed, the healer's motto is: First do no harm.

Evidence concerning the impact of needle exchange programs on both drug use and reduction, and disease transmission is by no means comforting. While the evidence is not clear and convincing that needle exchange make things actively worse, there are still grounds for concern.

There are reports of increased disease incidence, increased crime, and loss of drug deterrence in association with needle programs.

I reserve the balance of my time.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong opposition to this amendment. Prior to elected office, I worked in alcohol and drug prevention programs and saw firsthand the power and the destructive nature of drug addiction. I saw it destroy the life of the user, and I saw the agony it caused families. I would never support a measure that encourages or contributes to the use of illegal drugs.

Chairman OBEY's leadership in eliminating the ban on Federal dollars for needle exchange programs is based on sound scientific research that tells us these programs are a valuable HIV prevention tool that does not increase drug use.

Mr. SOUDER's amendment reinstates this ill-advised ban and returns us to a practice of allowing personal belief rather than science to direct our Federal funding decisions.

The science is clear. When addicts have clean needles available, the incidence of HIV infection declines among users.

Furthermore, needle exchange programs provide a critical portal to treatment and are an important part of our efforts to reduce the HIV epidemic.

I urge my colleagues to follow the science and to join me in voting "no" on this amendment.

Mr. SOUDER. I continue to reserve the balance of my time.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to this amendment. For those of you of my colleagues who might support this amendment because you believe that withholding clean needles from addicted drug users is somehow helping in the fight against illegal drug use, please allow me to suggest that that is a mistaken view and that you are really promoting the incidence of infection, of disease, and death among active addicts and those with whom they socialize. Indeed, that's the point. Needle exchange is not about promoting drug use. It is in fact about preventing disease.

Now, to understand why this is true, you really must understand that at the heart of addiction is craving. An addict, a person who is addicted, they are addicted because they crave. They have to have the drug that artificially gives them that feeling of well-being, that

instantaneous euphoria. There is a powerful craving.

There are lots of ways to enable drug use. There's lots of ways to help promote drug use in the country, to enable. Families allowing drug users to have access to resources is the most prominent one.

But the needle exchange program advocated for and carried out by health professionals is not one of those enablers because, again, why? At the moment that an addicted person has to have the drug, he or she is driven by this craving and the condition of the needle is not going to deter its use.

Now, while that may not be rational, while people who are standing around thinking rationally, Gee, you wouldn't use a bad needle. They are not acting in a rational way. And that's the point.

The condition of the needle is not the deterrence and therefore withholding clean needles simply means that they likely use and share dirty needles—and this spreads disease.

Mr. SOUDER. I yield 2 minutes to the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, the gentleman from Virginia (Mr. MORAN) felt it necessary to mention me as responsible for the increase in AIDS in the District of Columbia. This is a personal attack. Rarely do we see such a personal attack on the floor of the House.

He did it because he believes I'm responsible since I had the amendment that did restrict needles in the District of Columbia. Apparently, he felt like I was down there forcing people with AIDS to have relations, forcing drug abusers to take drugs. I just think it's very much a problem when we start being so personal in this attack.

He overlooks the fact that these people really need help overcoming the use of illegal drugs. That they're dependent on a lifestyle that only leads to destruction, and that I personally don't want to be part of that destruction. Many people in America feel like it's unnecessary.

He also overlooks the fact that many people who have studied long term the effect of the needles program believe it doesn't work. In Baltimore, where they followed the same drug abusers through the process, when they had access to the needles program, 90 percent of the people had a bloodborne illness.

I would consider 90 percent negative a failure. Now other people may think when 90 percent of the people attract a bloodborne illness like Hepatitis A or B or HIV positive or AIDS itself, that that would be a success. But to me, personally it's not.

I regret that I was brought into this personally and that I was personally attacked about this because I didn't force people to use illegal drugs, I didn't force people to have relationships with those who are positive in AIDS.

I think it's sad that when we personally found needles on school property in the area where needles were distributed before the restriction, that it's

sad we can't even protect the children of D.C. from being exposed to this type of activity.

Mr. MOLLOHAN. Would the gentleman yield?

Mr. TIAHRT. I won't yield. I'm very pleased that the chairman of this committee has tried to allow areas of this country around schools, around places to be vacant of these systems. I think there's some good things in this bill about it, but I don't think the overall program has been successful.

Mr. OBEY. I yield 45 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. I rise in strong opposition to this amendment. The simple fact of the matter is the needle exchange programs do work. Since 1999, there have been at least 18 major reviews and assessments of needle exchange programs under the Republican and Democratic administrations, which concluded that needle exchange programs help reduce the spread of AIDS and other infectious diseases without encouraging or increasing drug use.

Studies also show that needle exchange programs serve as an effective entry for drug users to access the public health system and receive substance abuse treatment to help them overcome their addiction. And that is what it is about.

We all want to make sure that those who are using drugs overcome their addiction. This is a proven strategy. And so I ask for a "no" vote on this amendment. We have to remember, funding HIV/AIDS strategies involve prevention. This is a prevention measure.

Mr. SOUDER. How much time do I have remaining?

The CHAIR. The gentleman from Indiana has 5 minutes remaining. The gentleman from Wisconsin has 5¼ minutes remaining.

Mr. SOUDER. I have tracked this issue for a long time. You can make allegations of studies, but studies are in fact very mixed on both sides, as I read from the office of National Drug Control Policy person who studied all the studies, worked with the people at night in the studies and, quite frankly and honestly, they're mixed.

There's a new recent study in Vancouver by somebody who advocated the program, who also advocates the legalization of marijuana, and he concluded that the study, at least in the downtown area of Vancouver, showed some progress on AIDS but no progress on heroin.

Now I mentioned Vancouver. Vancouver and Switzerland have been addressing this question long before the United States got into this. When you go over to Switzerland and study their program, they evolved first from a needle exchange to then having a place where they could inject, separate, then to the government of Switzerland providing the heroin and managing.

To some degree, they have reduced certain elements of problems. They did

not reduce heroin abuse. In fact, you could argue they increased heroin abuse. They basically turned a bunch of people into zombies instead of addressing the social problem of heroin addiction.

Now in Vancouver, where I've been three times—and I encourage people to go to the Cop Squad site, policemen who have been dedicated to trying to counter what some of the government has been spreading about the drug problem in Vancouver.

Vancouver is a very interesting case because they were first. They were the first city in North America that in effect had a drug-free zone and dealt with the needles question. And it has been debated.

There are certain studies now that claim this is a brand new experiment. It's been going on for at least 10 years. The first time I was there, they had a needle exchange. They just had people in the street, with a stand, trying to do needles.

By the next time I went up there, they had an injection site, and they were out trying to reach and they had spread into the suburbs, because they didn't want people have to go just to downtown, they wanted it in the suburbs. And most of the studies were only studying the downtown area.

The third time I was there, they've got these guys out in the street peddling, trying to keep the police away.

Now let me read from an article about downtown Vancouver, where the Winter Olympics are going to be held, where we have a zero standard of narcotics on our athletes, yet they're going to be going to a city where, "the junkies come here almost around the clock, seven days a week. Some just grab a fistful of clean syringes from one of the buckets by the door and head out again. But about 600 times a day, others walk in with pocketfuls of heroin, cocaine or speed that they've scored out on the street; sign in; go to a clean, well-lit room lined with stainless-steel booths; and, under the protective watch of two nurses, shoot their drugs into their veins."

□ 1300

Welcome to North America's only officially sanctioned supervised injection site. The facility sits in the heart of Vancouver, 10 blocks that compose one of the poorest neighborhoods in all of Canada. The area is home to an estimated 4,700 intravenous drug users and thousands of crack addicts. For years it's been a world-class health disaster, not to mention a public relations nightmare for a town that is famous for its beautiful mountains and beaches and is gearing up to host the 2010 Winter Olympics. Nearly a third of the downtown East Side inhabitants are estimated to be HIV-positive, according to the U.N. Population Fund, a rate on par with Botswana. Twice that number have hepatitis C. Dozens die of drug overdoses every year. This has been a problem that has been building and

building, now spreading to the suburbs of British Columbia. They have the first gun violence there, drug pushers moving there. It is an example of the failure of this program.

We are in the process of eliminating moral hazard in America. If you fail in your bank, we bail you out; if you fail in your business and go bankrupt, we bail you out. Now the question is, are we going to eliminate moral hazard in narcotics? At what point do we send a message not just this year but 5 years from now and 10 years from now that there's no accountability for your behavior, that everything is okay, we're just going to put you over the zone?

One of the problems with these zones is they're often where the homeless shelters are; they are often where the people that we have deinstitutionalized are. And they have seen a soaring of their addiction rates because we put these needles in places—although away from a school—they are just by the poorest people. But the people who are most vulnerable to seeing drug addiction for the first time, having free needles right there. And every society that has done this has also started to provide the free heroin. They are even now into providing free cocaine and free narcotics because they say, Well, the people won't go in. The lines are too long. That's the answer in Vancouver: "The lines are too long, so we're doing it out on the street anyway." As you get more and more packed in in the different areas, you have to put in additional sites or, in fact, unless you provide the narcotics in the safe area and then the government—in fact, the taxpayers—are funding a habit.

We need to use this on drug treatment. We don't have enough dollars in drug treatment. We are, in fact, cutting back what prevention programs we do have. There is no longer a Safe and Drug-Free Schools Program. It is proposed to be zeroed out and changed to Safe Schools. The drug czar has been taken down from a cabinet post to just another consultant. I don't even know if he's really a czar anymore. We've been cutting drug funds in this Congress. The question is, Is there going to be a moral hazard in America? Or are we just going to create a bunch of people who we just write off and don't pay attention? Walker Percy wrote a great book called *The Thanatos Syndrome* where he talks about a drug-addicted society that no longer has free will. Are we going to have accountability in America or not? And are we going to fund this type of project?

The CHAIR. The time of the gentleman has expired.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, let me point out that the underlying language in this bill is, in fact, a compromise. It lifts the ban, but it does not permit Federal funds to be used for needle exchange programs that occur within 1,000 feet of a day care center, school, college or university, any public swimming pool, park,

playground, video arcade, or youth center or any events sponsored by any such entity.

There is overwhelming evidence that syringe exchange programs when implemented as part of a comprehensive prevention strategy are an effective public health intervention for reducing HIV/AIDS and hepatitis and do not promote drug use.

Now let me be clear. I detest illegal drug use. I think it constitutes a national security threat. It ruins lives. It causes crime. It gets us into wars against drugs in Colombia and Mexico; and in fact, it gets us into another war in Afghanistan because of poppy production. So I hate illegal drugs. But even more, I hate the spread of AIDS. There's overwhelming evidence that we can help stop the spread of AIDS by allowing needle exchange programs. They are endorsed by leading public health organizations, such as the Institute of Medicine, the World Health Organization, the American Academy of Pediatrics, the American Medical Association, the American Nurses Association, the American Public Health Association. They are endorsed by people such as Dr. Anthony Fauci, the Nation's leading fighter against AIDS; Thomas Frieden; former NIH Director Harold Varmus; former Surgeons General C. Everett Koop and David Satcher, who served under Republican and Democratic administrations. They are endorsed by people such as Captain Andrew Smith from the Los Angeles Police Department; Atlantic City Deputy Chief of Police Robert Schwartz; and San Francisco Chief of Police Frederick Lau.

Let me make one other point. Every Member of Congress has access to decent primary health care; but we are going to put at risk a substantial number of people if we do not support this underlying committee amendment. I want to say something personal. If we lose this amendment, it is not going to be because a lot of people on this House floor really believe that this ban makes sense. It will be because many Members are concerned and fear a cheap-shot political 30-second ad that distorts their position, spreads half-truths and scares people. I understand that concern.

The CHAIR. The time of the gentleman has expired.

Mr. OBEY. I yield myself 1 additional minute.

But for the good of the country, we are being paid to ignore that kind of pressure and simply do the right thing for the country. I ask every Member of the House to do the right thing because if you do, it will save lives. I ask them to vote "no" on the amendment.

Ms. WATERS. Mr. Chair, I rise to oppose the Souder amendment, which prohibits funding needle exchange programs. Needle exchange programs are effective at preventing the spread of HIV/AIDS.

There are over 1 million Americans living with HIV/AIDS in the United States today, and over 20 percent of them do not know they are

infected. Every 9½ minutes, another person is infected with HIV. Last fall, the Centers for Disease Control and Prevention (CDC) released new estimates of HIV infection in the United States, which indicate that the HIV/AIDS epidemic is even worse than was previously thought. These new estimates indicate that approximately 56,300 new HIV infections occurred in the United States in 2006. This figure is approximately 40 percent higher than CDC's previous estimates of 40,000 new infections per year.

According to the CDC, 13 percent of new HIV infections in the United States occur among intravenous drug users. Needle exchange programs are an effective means of preventing HIV transmission among this population. Needle exchange programs save lives, reduce health care costs, and link intravenous drug users with substance abuse treatment programs that could end their addiction and allow them to live healthy and productive lives.

The Souder amendment is opposed by AIDS Action, the HIV Medicine Association, The AIDS Institute, and several other organizations concerned about the spread of HIV/AIDS in our communities.

I urge my colleagues to oppose the Souder amendment.

Mr. OBEY. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. ISSA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111-222.

Mr. ISSA. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. ISSA:

At the end of the bill (before the short title), insert the following:

SEC. 524. (a) None of the funds provided in this Act under the heading "National Institutes of Health—National Institute on Drug Abuse" shall be available for grant number 1R21DA026324-01A1 (Substance Use and HIV Risk among Thai Women).

(b) None of the funds provided in this Act under the heading "National Institutes of Health—National Institute on Alcohol Abuse and Alcoholism" shall be available for grant number 1R01AA018090-01 (Venue-based HIV and alcohol use risk reduction among female sex workers in China), or grant number 5R01AA016059-03 (Maximizing Opportunity—HIV Prevention in Hospitalized Russian Drinkers).

The CHAIR. Pursuant to House Resolution 673, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Thank you, Mr. Chairman.

My amendment does not reduce by one penny NIH funding at all. My amendment simply prohibits what is clearly becoming an endless stream of repeating and repeating and repeating and repeating studies of HIV at ever-greater cost. It deals with the \$325,000 to research Thai sex workers who also use drugs. What a surprise. We've already gone into extensive legislation to deal with that criminal activity on a worldwide basis. It also deals with prostitutes in China and alcohol and drug users in Russia. We're simply looking at just \$5 million over three grants.

Mr. Chairman, I think when we look at this \$5 million, we have to consider this: A flight to Bangkok is \$9,000. A ride on BART across town is \$3.10. On the government rate for less than \$200, people who want to study the growth of HIV can come here to Washington, D.C., where we have a 25 percent rate. Mr. Chairman, we have studied this. As a matter of fact, we have studied HIV contraction from dangerous behavior, particularly drug and alcohol, over 200 times. We've studied HIV at the National Institutes of Health over 1,400 times. We've studied just about everything one could imagine. But just so that we not miss one, how about HIV Prevention with Young Men Who Have Sex with Men: What Young Men Themselves Say is Needed? This was the Medical College of Wisconsin. We have studied it all. We have studied it for decades. This money needs to be spent on more than just study. It has to be spent on prevention and cure.

I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to claim the time in opposition, though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Wisconsin is recognized for 5 minutes.

There was no objection.

Mr. OBEY. Let me simply say that I'm perfectly happy to accept the amendment.

I reserve the balance of my time, unless the gentleman is prepared to close.

Mr. ISSA. I have just one speaker, and then I am prepared to close—quickly.

The CHAIR. The gentleman from California has the right to close.

Mr. ISSA. Thank you.

I will yield 45 seconds to the gentleman from Kansas (Ms. JENKINS).

Ms. JENKINS. Mr. Chairman, I have a provision in the Republican motion to recommit that will be discussed later this afternoon that I would like to bring to the body's attention. The need to provide Americans more choice, more affordability, and more access in health care is a belief we all share. Two towns in my district Onaga and Wamego, both small, rural communities, are facing the very real possibility of losing their hospital because growth in a town 45 miles away is jeopardizing their critical access funding. At a time when rural communities are

already faced with major challenges, any loss of health care access would be devastating. My provision will protect the critical access hospital designation, and I would ask the body for their support for the motion to recommit.

Mr. OBEY. I yield back the balance of my time.

Mr. ISSA. Mr. Chairman, never let it be said that Republicans can't take "yes" for an answer. I only wish that we had more amendments, allowing us to further refine the bill. With that, I thank the gentleman for agreeing to the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. PENCE

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111-222.

Mr. PENCE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. PENCE:

At the end of the bill (before the short title), insert the following:

SEC. 5 _____. None of the funds made available under this Act shall be available to Planned Parenthood for any purpose under title X of the Public Health Services Act.

The CHAIR. Pursuant to House Resolution 673, the gentleman from Indiana (Mr. PENCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. PENCE. Mr. Chair, I yield myself 1 minute.

I believe with all my heart that ending an innocent human life is morally wrong; but I also believe it's morally wrong to use the taxpayer dollars of millions of pro-life Americans to fund abortion providers. The Pence amendment before the House today simply states that none of the funds made available under this act shall be available for Planned Parenthood for any purpose under Title X. Title X is the only Federal grant program that provides Americans with comprehensive family planning and related preventive health services. It does important work in communities around the country.

Now while I understand that current laws and regulations prevent Title X funds from flowing directly to funding abortions, today the largest recipient of Federal funding under Title X is Planned Parenthood, and they're well able to use the resources they receive from taxpayers to offset the resources and free up resources to engage in the abortion trade, which they boast last year over 300,000 abortions performed. Planned Parenthood, the largest abortion provider in America, should not be the largest recipient of Federal funding under Title X. I urge my colleagues in both parties to join me in supporting the Pence amendment. The time has

come to deny all Federal funding to Planned Parenthood of America, and the Pence amendment would do that.

I reserve the balance of my time.

Mr. OBEY. I rise to claim the time in opposition.

The CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. I reserve the balance of my time.

Mr. PENCE. With that, I would like to yield 1 minute to the gentlelady from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Mr. Chair, I rise today in strong support of the Pence amendment. Recent polls indicate that a majority of Americans are opposed to paying for abortions through their tax dollars. This amendment offered by Mr. PENCE simply brings the Federal family planning funds in line with the sentiment of the majority of Americans. From 2007 to 2008, Planned Parenthood, our Nation's largest abortion provider, received almost \$350 million of our American taxpayer dollars. The fiction that we try to create when we say that these funds are not directly going for abortion is disingenuous at best.

I urge my colleagues to support the Pence amendment today and deny Title X funds for Planned Parenthood.

□ 1315

Mr. OBEY. I reserve the balance of my time.

Mr. PENCE. Mr. Chairman, could I inquire as to whether the distinguished chairman of the Appropriations Committee has any speakers on this amendment?

Mr. OBEY. Just one; me.

Mr. PENCE. With that, Mr. Chairman, I would like to clarify with my good friend from Wisconsin that the author of the amendment would like to reserve the right to close?

Mr. OBEY. No. I have the right to close.

The CHAIR. The gentleman from Wisconsin has the right to close.

Mr. PENCE. Mr. Chairman, with that, I would like to recognize the distinguished Member, Mr. CAO, for 1 minute.

(Mr. CAO asked and was given permission to revise and extend his remarks.)

Mr. CAO. Mr. Chairman, I rise today in strong support of the Pence amendment because I am very concerned about the prospect of taxpayer dollars of hardworking families across this country going to fund an institution like Planned Parenthood. We need to look no further than to the comments of Planned Parenthood founder Margaret Sanger to see how controversial this organization is. She said, "We want fewer and better children, and we cannot make the social life and the world peace we are determined to make with the ill-bred, ill-trained swarms of inferior citizens that you inflict on us."

Yesterday, while we debated on this amendment in the Rules Committee, my friend and colleague PETE SESSIONS

shared a heartfelt story that deeply touched and inspired me. As many of us know, PETE's son has Down syndrome. He and his wife could have chosen the easy way out by terminating the life of his son while he was still in the womb, but they courageously chose to give his son life, and through this life have instilled and inspired hope in the lives of others. The same profile in courage is reflected in my mother who single-handedly raised eight children in the midst of war and poverty.

The CHAIR. The time of the gentleman has expired.

Mr. CAO. With that, I urge my colleagues to vote "yes" on this amendment.

The CHAIR. The gentleman from Indiana has 2 minutes remaining. The gentleman from Wisconsin has 5 minutes remaining and the right to close.

Mr. PENCE. Mr. Chairman, it is my privilege to recognize for 1 minute the distinguished Republican whip, Mr. CANTOR, from Virginia.

Mr. CANTOR. I thank the gentleman from Indiana.

Thomas Jefferson warned that, "To compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical." Mr. Chairman, I rise in support of this amendment as the underlying legislation embodies the very action Jefferson cautioned against.

About 7 out of 10 Americans oppose public funding of abortion; yet this bill defies their moral concerns by funding groups like Planned Parenthood, the single largest abortion provider in America. Planned Parenthood performs over 300,000 abortions per year while receiving \$350 million in taxpayer dollars annually.

The gentleman from Indiana's amendment does not reduce overall funds for family planning services. It merely ensures that no taxpayer dollars are used to fund entities that conduct abortions. It is a reasonable approach, Mr. Chairman, and I urge my colleagues to support this amendment.

Mr. PENCE. Mr. Chairman, I will close, and I yield myself such time as I may consume.

The Pence amendment simply states that "none of the funds made available under this act are available to Planned Parenthood for any purpose under Title X." That's all it does. The Pence amendment does not cut one penny from Title X. It merely prohibits those funds from flowing into the largest abortion provider in America.

The Pence amendment is endorsed by National Right to Life Committee and a score of other organizations representing traditional values. We cannot reduce the number of abortions in America while increasing Federal funding to the Nation's leading abortion provider. The largest abortion provider in America should not also be the largest recipient of Federal funding under Title X. The time has come to deny all Federal funding to Planned Parenthood.

I urge my colleagues in both parties to join us in supporting this sensible amendment. Let's choose life. Let's defend the defenseless. Let us defend taxpayers. I urge adoption of the Pence amendment.

I yield back the balance of my time. Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, Title X is America's family planning program. It provides comprehensive family planning services and a wide variety of other preventive care, including breast exams and instruction on breast self-examination, Pap tests, screening and appropriate treatment for sexually transmitted infections, HIV screening, et cetera, et cetera.

This amendment gratuitously blocks Planned Parenthood clinics from receiving Title X funding. Those clinics provide important health care access to low-income uninsured patients, 5 million women in 4,500 clinics nationwide. The breast cancer screenings and the well-mother exams they receive may be the only health care they get all year.

If Planned Parenthood clinics are forced to close, these women may have to forgo critical care because they will lack a single provider providing Title X family planning funding, and this amendment would only make matters worse.

Now, if this amendment is intended to stop abortions, it has no impact whatsoever. Title X statutes forbid the use of funding for abortions, and this bill appropriates no funds whatsoever for abortions. Our bill includes the traditional Hyde language, prohibiting funds in the act from being used to support abortions. And it reads, in part: "Projects under such title shall not be expended for abortions, all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity, including publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal or candidates for public office". And I repeat again, no funds flow for abortions, none whatsoever.

Planned Parenthood plays a central role in expanding access to care under Title X. Planned Parenthood is the Nation's leading reproductive health care provider. For over 90 years, Planned Parenthood has provided low-income uninsured women with the vital reproductive health care services they need.

I want to make one other point. Every Member of Congress has access to decent primary care. The Pence amendment would cut millions of American women off from their source of primary care. If Members want to do that, go ahead and vote that way. Not me. Not me and not any Member of the House, I believe, who understands the true needs of American women.

Mr. HOLT. Mr. Chair, I rise in opposition to the Amendment offered by my colleague from Indiana, Mr. PENCE, to the Fiscal Year 2010 Labor, Health and Human Services, and Education Appropriations Bill.

I have long been a supporter of Planned Parenthood and the services it offers to my Central New Jersey constituents. Mr. PENCE's purely political amendment would deny funds under Title X of the Public Health Services Act to Planned Parenthood health facilities throughout the country. It would cut these women off from their source of primary care. At a time when more and more women and families are facing difficulties in accessing health care due to a provider shortage in this county, Congress should be doing everything we can to ensure that women have access to a trusted health care provider.

This should not be an anti-choice or pro-choice debate about one of the many services that Planned Parenthood provides. This amendment would have no effect on abortion services in our country. According to Federal statute, no money from Title X can be used for abortion services. Title X makes grants to public and private nonprofit organizations to provide family planning and basic reproductive health care information and services to low-income women. The Pence amendment would deny essential family planning services to the 5 million Americans that Planned Parenthood serves annually, including the 89,000 men and women in New Jersey.

This debate should be about prevention. It should be about continuing to provide women with the necessary tools for prevention, including contraception and education. It should be about protecting women's health by providing women with access to reproductive health care. We all should be able to agree that we would like to see fewer abortions performed in this country, and comprehensive family planning services that Planned Parenthood provides are a proven means to accomplish that. Title X has proven to be effective and prevents 1 million unwanted pregnancies each year. Planned Parenthood, as the Nation's oldest and largest family planning provider, is responsible for preventing 60 percent of unwanted pregnancies, approximately 631,000 unwanted pregnancies annually.

Planned Parenthood's 841 affiliates make up 13 percent of all Title X providers and provide 1.7 million women with reproductive health care services under title X each year. 63 percent of these patients receive reproductive health care services and 37 percent receive family planning services.

Cutting Title X funding to Planned Parenthood is nothing short of irresponsible. The low income women who are served through Title X are four times more likely to face an unintended pregnancy. As a safety net provider, Planned Parenthood plays a critical role in serving these women. We should not act to prevent women from getting the reproductive health care they need. I urge my colleagues oppose the Pence amendment.

Ms. TSONGAS. Mr. Chair, I stand in opposition to the Pence amendment, which would prevent thousands of low-income women from receiving critical women's health services.

At a time when Congress is trying to make sure every American has access to affordable, critical health care services, this amendment goes against our attempts to reform a broken health care system.

Planned Parenthood is one of the nation's leading women's health care providers.

In my home state of Massachusetts, Planned Parenthood serves more than 36,000 patients, most of them in need of basic health care.

This includes nearly 5,000 pap tests and breast exams.

They provide affordable contraception, STD testing and treatment, anemia testing, cholesterol and thyroid screening.

With 47 million Americans uninsured, we need clinics like Planned Parenthood. Low-income women are currently four times more likely to face an unintended pregnancy.

We should do everything we can to try to reduce the number of unintended pregnancies in America through common-sense measures.

None of the funds in this bill can be used for abortions, and clinics that receive them have to show that federal funds are not used for the procedure.

In fact, 97 percent of the health care that Planned Parenthood provides is primary and preventive.

If this amendment were to pass, millions of women all across the country would have nowhere else to turn for quality, preventive health care.

I urge a "no" vote on this amendment.

Ms. SLAUGHTER. Mr. Chair, I rise today in opposition to Mr. PENCE's amendment. Pursuant to Federal Statute, no Title X funds can be spent on abortions. So the only conclusion to be drawn from the offering of this amendment is that Mr. PENCE is attempting to use propaganda based on hypocrisy to wage war on family planning services. Mr. PENCE's amendment would cut off 1.7 million women—more than one in three women who receive Title X services—from their trusted, family planning provider.

Multitudes of poor and low-income women cannot afford to purchase contraceptive services and supplies on their own. Half of all women who are sexually active, but do not want to get pregnant, need publicly funded services to help them access public health programs like Medicaid and Title X.

Low-income women are currently four times more likely to face an unintended pregnancy. 84 percent of Title X clients have incomes below 150 percent of the federal poverty level, and 61 percent are uninsured. That is why for most women, including women who want to have children, contraception is not an option; it is a basic health care necessity. Each year, publicly funded family planning services help women to prevent an estimated one million unplanned pregnancies and 630,000 abortions.

From a public health standpoint, Title X family planning clinics are often the primary health care provider for low income women.

The Title X program provides comprehensive family planning services as well as a wide range of other preventive health care services, including breast exams and instruction on breast self-examination, Pap tests for early detection of cervical cancer or precancerous conditions, testing for high blood pressure, screening and appropriate treatment for sexually transmitted infections, HIV screening, counseling on adoption, foster care, and pregnancy termination and referrals to specialized health care.

In these tough economic times it is hard to understand why Mr. PENCE would want to yet again launch an assault on public health care for low income women and families. I strongly urge my colleagues to put public health ahead of politics and vote "no" on Mr. PENCE's harmful amendment.

Mr. NADLER of New York. Mr. Chair, I rise today in opposition to the amendment offered

by my colleague, Representative MIKE PENCE, which would prohibit Planned Parenthood from receiving Title X family planning funds.

For many women and men, the area Planned Parenthood is their only source of health care. In my home state of New York, more than 30 percent of Title X providers are Planned Parenthood health centers. Planned Parenthood is an essential community health provider, acting as a source of primary care for thousands of women and men. In addition to providing routine gynecological exams, cervical cancer screenings and breast exams, Planned Parenthood clinics also offer anemia testing, cholesterol screening, diabetes screening, employment and sports physicals, high blood pressure screening, physical examinations, smoking cessation, thyroid screening, adoptive services, prenatal services, and childbirth classes.

Despite the important role that Planned Parenthood plays in the health care delivery system in communities across the country, the Pence amendment would single out Planned Parenthood and prohibit it from receiving Title X funding for one reason—because, in addition to the multitude of other health services they offer for women and men, Planned Parenthood also offers abortion services—services that are lawful and constitutionally protected, and which are NOT paid for with a single federal tax dollar.

Mr. Chair, at its heart, the Pence amendment seeks to punish a single health care entity for providing a lawful, constitutionally protected service. Put another way, the Pence amendment hopes to force Planned Parenthood to abandon the exercise of a lawful act, which is inextricably and critically tied to a woman's constitutional right to reproductive services. This amendment—in addition to being misguided and mean-spirited—is suspect, at best, and is an unconstitutional condition, at worst.

Mr. Chair, I urge my colleagues to vote “no” on the Pence amendment.

Ms. LEE of California. Mr. Chair, I rise in strong opposition to this amendment.

Planned Parenthood provides critical health care services to women throughout this country, and in many places they are the only provider of family planning and reproductive health services.

An attack on Planned Parenthood is a direct attack on the 1.7 million women in this country who receive family planning service through this trusted provider.

The simple fact is that the federal government is specifically prohibited from providing support for abortions in this country—although I believe we've got to get rid of this prohibition.

Planned Parenthood has never violated the restriction on federal funding, and has taken great pains to separate its funding streams—however burdensome and unnecessary this really is—to ensure that it complies with federal law.

Denying funding to Planned Parenthood will deny critical health services to millions of women around the country and drive up the rate of unintended pregnancies for those who lose access to family planning programs.

Let's reject this ideologically driven amendment and support the rights of women to access the health services they need.

Mr. HODES. Mr. Chair, I congratulate Chairman OBEY and the Ranking Member on all of their work on this important appropriations bill.

I rise in opposition to the amendment offered by Mr. PENCE.

This amendment is an attack not only on Planned Parenthood but an attack on women's health.

A grocery store clerk in my district recently described her difficulties with her extremely limited health insurance. It did not provide for preventative coverage. She had not received a routine health screening in more than 18 years when her cancer was discovered.

If services like those provided by Planned Parenthood and other family planning health centers had been available to this woman, her cancer would have been caught earlier. She might have avoided the radical—and expensive—treatment that was the only option left to her by the time she made it to the doctor.

In New Hampshire, Planned Parenthood does more than any other organization to reduce the number of unintended pregnancies, serving over 18,400 patients a year.

In my home state, Planned Parenthood is a trusted provider of high quality affordable health care. In fact, more than 90 percent of services provided at Planned Parenthood are for preventive and primary health care.

We should be doing more to strengthen the Title X programs, and reduce the number of unintended pregnancies in this country. Planned Parenthood is the biggest provider of Title X services in New Hampshire, serving over 63 percent of the women who need these services.

The proposed amendment would severely reduce access to family planning services for more than 60 percent of women in New Hampshire, and reduce access to primary health care for women across the country.

Planned Parenthood should be commended for the work they do every day, helping millions of women and their families get preventive care they need. If it were not for Planned Parenthood, thousands of women in my state would not get the basic health care they need.

I urge a “no” vote on this amendment.

Mr. CARSON of Indiana. Mr. Chair, I respectfully oppose the Pence amendment to defund Planned Parenthood.

Planned Parenthood plays a vital and important role in my home state of Indiana. In Indiana, Planned Parenthood serves over 94,000 patients a year. Of those, more than 25,000 women are served through Title X, that's over half of all the women served by the program in our state. In my district, Planned Parenthood is an integral part of the patchwork of safety net providers, which includes county health departments, free standing clinics, and women's health centers.

The simple fact is that we are in the middle of a health care crisis and Planned Parenthood is part of the solution to this crisis. One out of three women, 1.7 million, who receives Title X family planning health care does so at a Planned Parenthood health center. Planned Parenthood affiliates serve a diverse range of women and men throughout their lifetimes, providing family planning and other reproductive health care.

Planned Parenthood health centers are working daily to provide quality, preventive health services. Planned Parenthood runs over 880 non-profit health centers in communities where there are limited affordable, quality health care options. In fact seventy-five percent of Planned Parenthood's patients live under 150% of the federal poverty level.

Planned Parenthood provides options counseling for patients facing unintended pregnancies, preventive services including birth control, screening for cervical and breast cancer screenings, immunizations to prevent cervical cancer and sexually transmitted infection testing and treatment, education and information.

If it were not for Planned Parenthood, thousands of women in my state would not get basic health care at all. That's why I support Planned Parenthood, and oppose the Pence amendment.

Mr. OBEY. I yield back the balance of my time. I urge opposition to the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. PENCE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. PENCE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. WITTMAN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111-222.

Mr. WITTMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. WITTMAN: At the end of the bill, before the short title, insert the following:

SEC. 524. Appropriations made in this Act are hereby reduced in the amount of \$803,270,000.

The CHAIR. Pursuant to House Resolution 673, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is simple. It would cut spending in the bill across the board by one-half of 1 percent. While this appropriations bill funds critical national priorities such as research at the National Institutes of Health, pandemic flu preparedness, and job training programs, the underlying bill provides \$730.5 billion, making it the largest of 12 appropriations bills.

The total is \$59.4 billion, that is 9 percent, more than the regular fiscal year 2009 appropriations, and \$1.9 billion more than that requested by the President. It also includes \$163.4 billion in discretionary spending, which is \$11.15 billion, or 7 percent, over last year's level.

I do not question the value of many of the programs funded by this bill. This bill funds programs that are critical to my district, like Impact AID, community health centers, the TRIO program, and nurse training and career technical education, but I offer this

amendment because our Nation cannot continue on this path of deficit spending without serious, negative, long-term consequences.

Among the various appropriations bills, this bill is typically the largest single source of discretionary funds for domestic Federal programs. It represents a 12.8 percent increase in spending over the level we were operating under in fiscal year 2008 less than 1 year ago. And while I travel around my district and talk to constituents, their greatest concern is spending. It's hard to explain to a family that has had to make tough choices about their own spending that Washington can't make the same tough choices.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. I claim the time in opposition.

The CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. I reserve the balance of my time.

The CHAIR. The gentleman from Wisconsin is reserving his right to close. The gentleman from Virginia has 3½ minutes remaining.

Mr. WITTMAN. I yield 1 minute to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from Virginia.

Mr. Chairman, this is really a pretty straightforward amendment, but I want to put it in perspective. This bill is a 7 percent increase over last year's funding. The gentleman from Virginia is merely asking for a half of a percent reduction in something that is already increased by 7 percent. When you include what was allocated in the stimulus bill for these very same agencies, it is a 93 percent increase. So when you look at it in total, we are merely scratching the surface by having some common sense brought into the amount of money being spent.

Now, this doesn't eliminate any programs. This doesn't put anybody in a hardship. This simply says that rather than having 93 percent in total increase for this funding, that we are going to reduce it by a total of \$11.15 billion. Now, this is \$11.15 billion that we will not have to borrow and that our children will not have to pay back. This is money that we will not be obligated to return to the people in China.

So this is a commonsense amendment. I urge its adoption.

Mr. WITTMAN. Mr. Chairman, I would like to thank the gentleman from Kansas. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, for the past couple of months, we have been passing spending bills with double-digit increases year over year, and these are unacceptable increases in spending. Already, there have been mentions of tax increases that will be necessary to maintain this level of spending. Imagine that for a moment, tax increases in the name of fiscal responsibility.

The administration projects that the budget deficit will reach \$1.8 trillion in

2009 compared to \$455 billion in 2008. This represents 3.2 percent of our gross domestic product, up from \$161 billion, or 1.2 percent of GDP, in fiscal year 2007. As a share of GDP, this will be the largest deficit since World War II. For fiscal year 2009, we have a \$2 trillion deficit. Between fiscal year 2010 and fiscal year 2019, the Congressional Budget Office estimates cumulative deficits could reach as high as \$10 trillion.

A few other signs that we are in dangerous territory when it comes to the Nation's economic security are this Congress raised the statutory debt limit from \$11.315 trillion to \$12.04 trillion in the American Recovery and Reinvestment Act earlier this year, and together China and Japan hold almost 41 percent of our foreign-held debt, which is 27.8 percent of the gross Federal debt.

The question then becomes, how and when do we slow the growth? When do we make the tough decisions on spending? This amendment is an opportunity to show that this Congress wants to make responsible decisions on spending and to achieve fiscal discipline.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I reserve my time.

Mr. WITTMAN. Mr. Chairman, I recognize the gentleman from Georgia (Mr. BROUN) for 1 minute.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I'm pleased to see that finally after 10 appropriations bills under closed rules, the Democratic majority has finally seen fit to allow this sensible cost-reduction amendment. The underlying bill increases the funding for the Departments of Labor, Health and Human Services and Education by 25 percent.

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Mr. Chairman, isn't a 24½ percent increase over last year enough? Is the Department of Labor really going to feel the effects of this modest amendment? We're only talking about reducing their increase for half a penny for every dollar that the agency spends. The American people are feeling the squeeze of this economy and, to date, Congress has done nothing to ease their burdens or address their frustrations. This modest reduction, Mr. Chairman, however small, is an important step. So I urge my colleagues to vote "yes" on this amendment.

Mr. WITTMAN. Mr. Chairman, this is a good amendment, and it puts us back on the path of fiscal discipline, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE) for a unanimous consent request.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Because this bill does have the right priorities

for HBCUs and Ryan White treatment dollars and teen pregnancy, I support this legislation and the priorities of this committee.

Mr. Chair, I stand here today to express my support for H.R. 3293 the Labor, Health and Human Services and Education Appropriation Act of 2010. With an emphasis on job training, increased educational opportunities and the implementation of health and social safety nets, H.R. 3293 ensures that we will be able to effectively rise up out of the ashes of what has been categorized as the longest and deepest economic downturn since the Great Depression. The national economic crisis has begun to infiltrate every corner of this country, and my home State of Texas is no exception.

In Texas, unemployment has climbed to a staggering 7.6 percent, and in my own district of Houston, unemployment has risen to an unprecedented 6.4 percent. In January 2009, it was documented that Texas experienced an extensive job loss of 75,800 nonagricultural jobs. Accordingly, I am taking every possible measure to help the people of Houston, right down to hosting a comprehensive job fair for the people of my district this coming weekend. While States across the country reduce vital services, including those services that provide aid to the most vulnerable among us, we must make every legislative effort to remedy the negative and wide sweeping impact of this most devastating recession.

To tackle unemployment, joblessness and disparity, we must address the roots of the problem head-on. We need to invest our resources in the people of this country, and H.R. 3293 provides much needed assistance to do just that. The FY 2010 Labor, HHS, Education Appropriations Bill is legislation that makes the necessary investments in our Nation's greatest treasure, our future.

INCREASING FUNDING FOR EDUCATION

Increasing educational opportunities for students of every level, from every socio-economic background throughout our Nation will yield the greatest return on our investment. Providing access to educational opportunities is critical to the Nation's long term prosperity. H.R. 3293 will make the necessary investments to provide children with a 21st century education, will provide the resources to modernize our schools and colleges, and will provide funding to make college more affordable.

Just as I supported past legislation like H.R. 3081, the American Recovery and Reinvestment Act of 2009, which placed a premium on providing funding for and lending institutional support to our Historical Black Colleges and Universities, HBCUs, and Predominantly Black Institutions, PBIs, H.R. 3293 also provides a comprehensive fiscal plan for 2010 to ensure that adequate funding is allocated to our HBCUs and PBIs.

HBCUs and PBIs as defined in the Higher Education Act of 1965, as amended, HEA, as the following: A historically Black college or university is an institution of higher education established prior to 1964, whose principal mission was, and is, the education of Black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation. Historically Black colleges or universities also include any branch campus of a

southern institution of higher education that prior to September 30, 1986, received a grant as an institution with special needs under HEA Section 321 and was formally recognized by the National Center for Education Statistics as a Historically Black College or University.

Predominantly Black Institutions are defined in HEA Section 318. These institutions meet basic eligibility under Title III, Section 312(b) and serve at least 40 percent Black American students. Basic eligibility under Title III, Section 312(b) of the HEA is met by institutions that: have low educational and general expenditures, E&G, or seek a waiver by submitting evidence that is both persuasive and compelling to have this requirement waived; have a requisite enrollment of needy students; are legally authorized within their respective State to award bachelors degrees or are a community college; and are accredited by a nationally or State recognized accrediting agency.

An institution is considered to have met the enrollment of needy students criterion if (1) at least 50 percent of its degree-seeking students receive financial assistance under one or more of the following programs: Federal Pell Grant Program, Federal Supplemental Educational Opportunity Grant Program, Federal Work-Study Program and/or the Federal Perkins Loan Program or (2) the percentage of its undergraduate degree-seeking students who were enrolled at least halftime and received a Federal Pell grant met or exceeded the average for similar institutions.

We must invest in our Nation's Historically Black Colleges and Universities, HBCUs, and other Minority Serving Institutions. A digital disparity between HBCU campuses and their counterparts currently exists. There is a significant need among HBCUs to update technological equipment and to develop advanced and cutting edge educational and technological opportunities for students. In the face of the adversity that outdated technology poses, HBCUs continue to generate thousands of African-American graduates who are prepared to compete in and contribute to our global economy. HBCUs represent 9 of the top 10 colleges that graduate the most African-Americans who go on to earn Ph.D.s. HBCUs and PBIs continue to provide opportunity and advancement to African-American students, and therefore are worthy of federal support.

Accordingly, this bill provides \$653 million to strengthen the capacity of HBCUs and PBIs, Hispanic-serving Institutions, Tribal Colleges and Universities and Native American-serving Institutions, Asian Pacific Islander, and Native American Institutions. This is \$110 million over the President's request and \$146 million over 2009. Additionally, H.R. 3293 provides for \$178 million new loan guarantees for HBCUs and University facilities, which is nearly triple that of the 2009 level. As a Representative from the 18th Congressional District of Texas, I know firsthand that this will enable HBCUs like Texas Southern University in my district and Prairie View A&M University just outside of my district to thrive.

H.R. 3293 also provides an investment of \$15.9 billion for Title I Education for the Disadvantaged Children Account, which will provide much needed support to underprivileged children in grades K through 12, and will give hope to the low income families in my district in Houston, that their children will receive quality education. This funding also places an

emphasis on early childhood and family literacy programs. Furthermore, the bill provides \$446 million for a Teacher Incentive Fund, which supports school districts and States that aim to reward effective teaching through compensation systems that reward entire high-need schools on the basis of increasing student achievement.

GREEN JOBS

Finally, this bill provides the necessary funding for increased employment opportunities and job training. H.R. 3293 appropriates \$50 million, the same as the President's request, to prepare workers for careers in energy efficiency and renewable energy. This new administration initiative will support pre-apprenticeship programs and new careers for more than 8,000 workers in emerging green industries. In the tradition of our new administration, this Congress understands the energy concerns of the American people and we continue to work to ensure this Nation moves in a new direction to achieve energy independence and energy security.

I have long been a proponent of green education. For example, during the 110th Congress, I successfully offered amendments to the Comprehensive Energy Independence bill that was introduced late last year and voted out of the House.

Specifically, I have offered past amendments that would provide scholarships for post-secondary study in ethanol, wind, solar energy, and other green alternatives to petroleum. I have also offered an amendment to establish Energy Centers of Excellence, which would provide a consortium of Historically Black Colleges and Universities, HBCUs, Hispanic serving institutions, tribal universities, and majority serving institutions to develop curriculum and programs in green energy. Moreover, my amendments provided scholarships, and academic opportunities for minorities to study green energy. Thus, I have long been a proponent of the type of education and job provisions that this bill requires.

Indeed, I count myself as one on the forefront of this cause. As a representative of the 18th Congressional District of Texas, which includes the energy capital of the world, Houston, I am especially pleased to support this bill. This bill fosters education and increased job opportunity in green energy, which increasingly is becoming a viable alternative to petroleum.

Today, we as a global community must take the time out to appreciate the natural resources our planet has provided. It is also a day where we must better examine energy alternatives to carry forth the advancement of mankind and the preservation of the world at large. I have long been a proponent of green jobs, as evidenced in my support of H.R. 957, the Green Energy Education Act of 2009, which provided an opportunity to learn about the positive actions that we as a Nation can take to improve energy efficiency; to develop safe, renewable energy sources; to design goods that are durable, reusable, and recyclable; and to eliminate the production of harmful waste, while protecting our environment and encouraging sustainable development throughout the world.

H.R. 957 empowered leading authorities to teach and conduct the necessary research on energy consumption throughout our Nation. The research and studies are highly detailed, and carefully constructed to be statistically

representative of the entire population, and are indicative of the indispensable analysis and policy planning required to execute a comprehensive green initiative. By providing the necessary funding to implement green research programs and new green job opportunities, policy planners will be in a position to better identify the highest-value energy efficient methods to decrease our dependency on foreign fuel.

Along with rising gas prices, weak economic growth, continued environmental warnings and scientific studies pointing to global warming, many Americans continue to worry about the state of energy security in the world. Adding green space in urban areas, investing in alternative energy, and ensuring our participation in the conservation of our planet's resources are just some ways that we can preserve our wonderful planet, and plan for our future. We now turn to our Federal Government to provide us with the resources to do so. I urge my colleagues today to pass this critical piece of legislation, as our Nation's long-term prosperity hangs in the balance.

Mr. OBEY. Mr. Chairman, I rise in strong opposition to this amendment which would cut \$803 million out of important investments in this bill. Let me point out a few facts. First of all, as I said earlier, the Appropriations Committee allocation has already cut a total of \$10 billion from the President's discretionary spending request, and this bill cuts \$52 million from that same request.

This bill, on a comparable basis, is 3.6 percent above the 2009 limit. That is hardly runaway spending. Furthermore, when you look at program lines, you will see that this bill makes hard choices to terminate programs that are not working, with \$1.3 billion in cuts to individual programs below the 2009 level. The bill terminates or cuts 44 programs. The largest single program increase is for the Social Security Administration, effectively one fourth of the bill's entire increase for 2009.

With dramatically rising retirement and disability claims facing the agency, nobody would argue that those funds are wasteful. After accounting for the SSA increase, this bill is 1.7 percent above for the rest of the bill, meaning, in real dollar terms, after inflation, it is an increase of .3 percent. That is hardly being spendthrift.

If this amendment is adopted, I would point out two problems. First of all, it makes no real spending decisions. It leaves all of that in the hands of the President of the United States. It allows the President to determine this funding level for every single account in this bill. I don't think this Congress should be a rubber stamp for any President.

And, then, I think we ought to look at what the implications are for programs in this bill. Applied to the National Institutes of Health, this cut would wipe out more than 900 new research grants and eliminate inflation adjustments for 36,000 new and existing research grants undermining efforts to treat cancer, Parkinson's, diabetes and

other deadly diseases. Applied to community health centers, nearly 1.3 million people could see their health care services reduced or eliminated. Applied to special education, IDEA funding would be cut by 7 percent below the 2009 level. Applied to Pell Grants, 7.6 million students could see their grants reduced and the maximum Pell award cut by approximately \$135.

Applied to LIHEAP, it would reduce the number of households served by over 900,000. Applied to senior nutrition, it would eliminate nearly 240 million meals to 2.5 million vulnerable Americans. Applied to Head Start, over 50,000 low-income children would be denied comprehensive early childhood development services. Applied to the Child Care Block Grant, child care services for over 270,000 low-income families would be eliminated. And applied to the Job Corps, it would deliver a more than 50 percent cut to Job Corps centers.

With all due respect, I don't think anybody on this side of the aisle needs to hear a lecture about deficits. I have opposed the Bush policies, both economic and war policies, which led to the unraveling of the budget, which led to a huge amount of debt and which led to the collapse of the economy. I don't think we need more of that kind of medicine.

I urge a "no" vote on this amendment and yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WITTMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-222 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. OBEY of Wisconsin;

Amendment No. 2 by Mr. SOUDER of Indiana;

Amendment No. 4 by Mr. PENCE of Indiana;

Amendment No. 5 by Mr. WITTMAN of Virginia.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. OBEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 284, noes 137, not voting 18, as follows:

[Roll No. 641]

AYES—284

Abercrombie	Fattah	McDermott
Ackerman	Filner	McGovern
Adler (NJ)	Forbes	McIntyre
Altmire	Foster	McMahon
Andrews	Frank (MA)	McNerney
Arcuri	Fudge	Meek (FL)
Baca	Garrett (NJ)	Meeks (NY)
Baird	Gerlach	Melancon
Baldwin	Giffords	Michaud
Barrow	Gonzalez	Miller (MI)
Bean	Gordon (TN)	Miller (NC)
Becerra	Granger	Minnick
Berkley	Grayson	Mitchell
Berman	Green, Al	Mollohan
Berry	Green, Gene	Moore (KS)
Biggart	Griffith	Moore (WI)
Bishop (GA)	Grijalva	Moran (VA)
Bishop (NY)	Gutierrez	Murphy (CT)
Blumenauer	Hall (NY)	Murphy (NY)
Boccheri	Halvorson	Murphy, Patrick
Bordallo	Hare	Murphy, Tim
Boren	Harman	Murtha
Boswell	Hastings (FL)	Nadler (NY)
Boucher	Heinrich	Napolitano
Boyd	Herseth Sandlin	Neal (MA)
Brady (PA)	Higgins	Nye
Braley (IA)	Hill	Oberstar
Bright	Himes	Obey
Brown, Corrine	Hinchee	Olver
Burgess	Hinojosa	Ortiz
Butterfield	Hirono	Pallone
Buyer	Hodes	Pascarell
Camp	Holden	Pastor (AZ)
Cao	Holt	Paulsen
Capps	Honda	Payne
Capuano	Hoyer	Perlmutter
Cardoza	Inglis	Perriello
Carnahan	Inslee	Peters
Carney	Israel	Peterson
Carson (IN)	Jackson (IL)	Petri
Castle	Jackson-Lee	Pingree (ME)
Castor (FL)	(TX)	Platts
Chandler	Jenkins	Polis (CO)
Childers	Johnson (GA)	Pomeroy
Christensen	Johnson, E. B.	Price (NC)
Chu	Kagen	Quigley
Clay	Kanjorski	Rahall
Cleaver	Kaptur	Rangel
Clyburn	Kennedy	Reichert
Cohen	Kildee	Reyes
Cole	Kilpatrick (MI)	Richardson
Connolly (VA)	Kilroy	Rodriguez
Cooper	Kind	Rogers (MI)
Costa	Kirk	Ross
Costello	Kirkpatrick (AZ)	Rothman (NJ)
Courtney	Kissell	Roybal-Allard
Crowley	Klein (FL)	Royce
Cuellar	Kosmas	Ruppersberger
Cummings	Kratovil	Rush
Davis (AL)	Kucinich	Ryan (OH)
Davis (CA)	Lance	Ryan (WI)
Davis (IL)	Langevin	Sablan
Davis (TN)	Salazar	Salazar
DeFazio	Larson (CT)	Sánchez, Linda
DeGette	Lee (CA)	T.
Delahunt	Levin	Sanchez, Loretta
DeLauro	Lewis (GA)	Sarbanes
Dent	Lipinski	Schakowsky
Dicks	LoBiondo	Schauer
Dingell	Loeb	Schiff
Doggett	Lofgren, Zoe	Schock
Donnelly (IN)	Lowe	Schrader
Doyle	Luján	Schwartz
Driehaus	Lynch	Scott (GA)
Edwards (MD)	Maffei	Scott (VA)
Edwards (TX)	Maloney	Serrano
Ehlers	Markey (CO)	Sestak
Ellison	Markey (MA)	Shea-Porter
Ellsworth	Marshall	Sherman
Engel	Massa	Shuler
Eshoo	Matheson	Skelton
Etheridge	Matsui	Slaughter
Faleomavaega	McCollum	Smith (NJ)
Farr	McCotter	Smith (WA)

Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)

Tierney
Titus
Tonko
Townes
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz

Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—137

Aderholt	Gallegly	Myrick
Akin	Gingrey (GA)	Neugebauer
Alexander	Gohmert	Nunes
Austria	Goodlatte	Olson
Bachmann	Graves	Pence
Bachus	Guthrie	Pitts
Bartlett	Hall (TX)	Poe (TX)
Barton (TX)	Harper	Posey
Bilbray	Hastings (WA)	Price (GA)
Bilirakis	Heller	Putnam
Blackburn	Hensarling	Radanovich
Blunt	Herger	Rehberg
Bonner	Hoekstra	Roe (TN)
Bono Mack	Hunter	Rogers (AL)
Boozman	Issa	Rogers (KY)
Boustany	Johnson (IL)	Rohrabacher
Brady (TX)	Johnson, Sam	Rooney
Broun (GA)	Jones	Ros-Lehtinen
Brown (SC)	Jordan (OH)	Roskam
Brown-Waite,	King (IA)	Scalise
Ginny	King (NY)	Schmidt
Buchanan	Kline (MN)	Sensenbrenner
Burton (IN)	Lamborn	Sessions
Calvert	LaTourette	Shadegg
Campbell	Latta	Shimkus
Cantor	Lee (NY)	Shuster
Carter	Lewis (CA)	Simpson
Cassidy	Linder	Smith (NE)
Chaffetz	Lucas	Smith (TX)
Coble	Luetkemeyer	Souder
Coffman (CO)	Lummis	Stearns
Conaway	Lungren, Daniel	Sullivan
Crenshaw	E.	Thompson (PA)
Culberson	Mack	Thornberry
Davis (KY)	Manzullo	Tiahrt
Deal (GA)	Marchant	Tiberi
Diaz-Balart, L.	McCarthy (CA)	Turner
Diaz-Balart, M.	McCaul	Walden
Dreier	McClintock	Wamp
Duncan	McHenry	Westmoreland
Fallin	McKeon	Whitfield
Flake	McMorris	Wilson (SC)
Fleming	Rodgers	Wittman
Fortenberry	Mica	Wolf
Fox	Miller (FL)	Young (AK)
Frank (AZ)	Miller, Gary	Young (FL)
Frelinghuysen	Moran (KS)	

NOT VOTING—18

Barrett (SC)	Dahlkemper	Miller, George
Bishop (UT)	Emerson	Norton
Boehner	Kingston	Paul
Capito	Latham	Pierluisi
Clarke	McCarthy (NY)	Sires
Conyers	McHugh	Tanner

□ 1400

Messrs. HASTINGS of Florida, GARRETT of New Jersey, TIM MURPHY of Pennsylvania, RYAN of Wisconsin, KIRK, PETRI, CAO, ISRAEL, INGLIS, ROYCE, KRATOVIL, and Mrs. MILLER of Michigan changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 218, not voting 10, as follows:

[Roll No. 642]

AYES—211

Aderholt	Foster	Murphy (NY)
Akin	Fox	Murphy, Tim
Alexander	Franks (AZ)	Myrick
Austria	Frelinghuysen	Neugebauer
Bachmann	Gallely	Nunes
Bachus	Garrett (NJ)	Nye
Barrow	Gerlach	Olson
Bartlett	Gingrey (GA)	Paulsen
Barton (TX)	Gohmert	Pence
Berry	Goodlatte	Peterson
Biggert	Granger	Petri
Bilbray	Graves	Pitts
Bilirakis	Grayson	Platts
Blackburn	Green, Gene	Poe (TX)
Blunt	Griffith	Pomeroy
Bonner	Guthrie	Poser
Bono Mack	Hall (NY)	Price (GA)
Boozman	Hall (TX)	Putnam
Boren	Harper	Radanovich
Boswell	Hastings (WA)	Rahall
Boucher	Heller	Rehberg
Boustany	Hensarling	Reichert
Boyd	Herger	Roe (TN)
Brady (TX)	Herseth Sandlin	Rogers (AL)
Bright	Hill	Rogers (KY)
Broun (GA)	Hoekstra	Rogers (MI)
Brown (SC)	Holden	Rohrabacher
Brown-Waite,	Hunter	Rooney
Ginny	Inglis	Roskam
Buchanan	Jenkins	Ross
Burgess	Johnson (IL)	Royce
Burton (IN)	Johnson, Sam	Ryan (WI)
Buyer	Jones	Scalise
Calvert	Jordan (OH)	Schmidt
Camp	King (IA)	Schock
Campbell	King (NY)	Scott (GA)
Cantor	Kingston	Sensenbrenner
Cao	Kirk	Sessions
Cardoza	Kline (MN)	Shadegg
Carney	Lamborn	Shimkus
Carter	Lance	Shuler
Cassidy	Latham	Shuster
Chaffetz	Latta	Simpson
Chandler	Lee (NY)	Skelton
Childers	Lewis (CA)	Smith (NE)
Coble	Linder	Smith (NJ)
Coffman (CO)	Lipinski	Smith (TX)
Cole	LoBiondo	Souder
Conaway	Lucas	Spratt
Costa	Luetkemeyer	Stearns
Costello	Lummis	Sullivan
Crenshaw	Lungren, Daniel	Taylor
Cuellar	E.	Teague
Culberson	Mack	Terry
Davis (AL)	Marchant	Thompson (PA)
Davis (KY)	Marshall	Thornberry
Davis (TN)	McCarthy (CA)	Tiahrt
Deal (GA)	McCaul	Tiberi
Dent	McClintock	Turner
Diaz-Balart, L.	McCotter	Upton
Diaz-Balart, M.	McHenry	Walden
Donnelly (IN)	McIntyre	Wamp
Dreier	McKeon	Westmoreland
Duncan	McMahon	Whitfield
Edwards (TX)	McMorris	Wilson (OH)
Ellsworth	Rodgers	Wilson (SC)
Etheridge	Melancon	Wittman
Fallin	Mica	Wolf
Flake	Miller (FL)	Young (AK)
Fleming	Miller (MI)	Young (FL)
Forbes	Miller, Gary	
Fortenberry	Moran (KS)	

NOES—218

Abercrombie	Becerra	Brown, Corrine
Ackerman	Berkley	Butterfield
Adler (NJ)	Berman	Capps
Altmire	Bishop (GA)	Capuano
Andrews	Bishop (NY)	Carnahan
Arcuri	Blumenauer	Carson (IN)
Baca	Boccieri	Castle
Baird	Bordallo	Castor (FL)
Baldwin	Brady (PA)	Christensen
Bean	Braley (IA)	Chu

Clarke	Kaptur	Pingree (ME)
Clay	Kennedy	Polis (CO)
Cleaver	Kildee	Price (NC)
Clyburn	Kilpatrick (MI)	Quigley
Cohen	Kilroy	Rahall
Connolly (VA)	Kind	Rangel
Conyers	Kirkpatrick (AZ)	Reyes
Cooper	Kissell	Richardson
Courtney	Klein (FL)	Ros-Lehtinen
Crowley	Kosmas	Rothman (NJ)
Cummings	Kratovil	Roybal-Allard
Davis (CA)	Kucinich	Ruppersberger
Davis (IL)	Langevin	Rush
DeFazio	Larsen (WA)	Ryan (OH)
DeGette	Larson (CT)	Sablan
Delahunt	LaTourette	Salazar
DeLauro	Lee (CA)	Sánchez, Linda
Dicks	Levin	T.
Dingell	Lewis (GA)	Sanchez, Loretta
Doggett	Loebach	Sarbanes
Doyle	Lofgren, Zoe	Schakowsky
Driehaus	Lowe	Schauer
Edwards (MD)	Lujan	Schiff
Ehlers	Lynch	Schrader
Ellison	Maffei	Schwartz
Emerson	Maloney	Scott (VA)
Engel	Markey (CO)	Serrano
Eshoo	Markey (MA)	Sestak
Faleomavaega	Massa	Shea-Porter
Farr	Matheson	Sherman
Fattah	Matsui	Sires
Filner	McCollum	Slaughter
Frank (MA)	McDermott	Smith (WA)
Fudge	McGovern	Snyder
Giffords	McNerney	Space
Gonzalez	Meek (FL)	Speier
Gordon (TN)	Meeke (NY)	Stark
Green, Al	Michaud	Stupak
Grijalva	Miller (NC)	Sutton
Gutierrez	Miller, George	Tanner
Halvorson	Minnick	Thompson (CA)
Hare	Mitchell	Thompson (MS)
Harman	Mollohan	Tierney
Hastings (FL)	Moore (KS)	Titus
Heinrich	Moore (WI)	Tonko
Higgins	Moran (VA)	Towns
Himes	Murphy (CT)	Tsongas
Hinchey	Murphy, Patrick	Van Hollen
Hinojosa	Murtha	Velázquez
Hirono	Nadler (NY)	Visclosky
Hodes	Napolitano	Walz
Holt	Neal (MA)	Wasserman
Honda	Oberstar	Schultz
Hoyer	Obey	Waters
Inlee	Oliver	Watson
Israel	Ortiz	Watt
Issa	Pallone	Waxman
Jackson (IL)	Pascrell	Weiner
Jackson-Lee	Pastor (AZ)	Welch
(TX)	Payne	Wexler
Johnson (GA)	Perlmutter	Woolsey
Johnson, E. B.	Perriello	Wu
Kagen	Peters	Yarmuth
Kanjorski	Pierluisi	

NOT VOTING—10

Barrett (SC)	Dahlkemper	Norton
Bishop (UT)	Manzullo	Paul
Boehner	McCarthy (NY)	
Capito	McHugh	

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remaining in this vote.

□ 1407

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. NORTON. Mr. Chair, I was unable to vote on rollcall Nos. 641 and 642. Had I been present, I would have voted "aye" on rollcall 641 and "no" on 642.

AMENDMENT NO. 4 OFFERED BY MR. PENCE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. PENCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 247, not voting 9, as follows:

[Roll No. 643]

AYES—183

Aderholt	Gallegly	Murphy, Tim
Akin	Garrett (NJ)	Myrick
Alexander	Gerlach	Neugebauer
Austria	Gingrey (GA)	Nunes
Bachmann	Gohmert	Olson
Bachus	Goodlatte	Paulsen
Bartlett	Granger	Pence
Barton (TX)	Graves	Peterson
Bilbray	Griffith	Petri
Bilirakis	Guthrie	Pitts
Blackburn	Hall (TX)	Platts
Blunt	Harper	Poe (TX)
Bonner	Hastings (WA)	Poser
Bono Mack	Heller	Price (GA)
Boozman	Hensarling	Putnam
Bordallo	Herger	Radanovich
Boren	Hoekstra	Rahall
Boustany	Hunter	Rehberg
Brady (TX)	Inglis	Reichert
Bright	Issa	Roe (TN)
Broun (GA)	Johnson (IL)	Rogers (AL)
Brown (SC)	Johnson, Sam	Rogers (KY)
Brown-Waite,	Jones	Rogers (MI)
Ginny	Jordan (OH)	Rohrabacher
Buchanan	King (IA)	Rooney
Burgess	King (NY)	Ros-Lehtinen
Burton (IN)	Kingston	Roskam
Buyer	Kline (MN)	Royce
Calvert	Lamborn	Ryan (WI)
Camp	Latham	Scalise
Campbell	LaTourette	Schmidt
Cantor	Latta	Schock
Cao	Lee (NY)	Sensenbrenner
Carter	Lewis (CA)	Sessions
Cassidy	Linder	Shadegg
Chaffetz	Lipinski	Shimkus
Childers	LoBiondo	Shuler
Coble	Lucas	Shuster
Coffman (CO)	Luetkemeyer	Simpson
Cole	Lummis	Skelton
Conaway	Lungren, Daniel	Smith (NE)
Costello	E.	Smith (NJ)
Crenshaw	Mack	Smith (TX)
Culberson	Manzullo	Souder
Davis (KY)	Marchant	Stearns
Davis (TN)	Marshall	Sullivan
Deal (GA)	McCaul	Taylor
Dent	McClintock	Terry
Diaz-Balart, L.	McCotter	Thompson (PA)
Diaz-Balart, M.	McHenry	Thornberry
Donnelly (IN)	McIntyre	Tiahrt
Dreier	McKeon	Tiberi
Duncan	McMahon	Turner
Edwards (TX)	McMorris	Wamp
Ellsworth	Rodgers	Westmoreland
Etheridge	Melancon	Whitfield
Fallin	Mica	Wilson (OH)
Flake	Miller (FL)	Wilson (SC)
Fleming	Miller (MI)	Wittman
Forbes	Miller, Gary	Wolf
Fortenberry	Mollohan	Young (AK)
Franks (AZ)	Moran (KS)	Young (FL)

NOES—247

Abercrombie	Bishop (NY)	Castor (FL)
Ackerman	Blumenauer	Chandler
Adler (NJ)	Boccieri	Christensen
Altmire	Boswell	Chu
Andrews	Boucher	Clarke
Arcuri	Boyd	Clay
Baca	Brady (PA)	Cleaver
Baird	Braley (IA)	Clyburn
Baldwin	Brown, Corrine	Cohen
Barrow	Butterfield	Connolly (VA)
Bean	Capps	Conyers
Becerra	Capuano	Cooper
Berkley	Cardoza	Costa
Berman	Carnahan	Courtney
Berry	Carney	Crowley
Biggert	Carson (IN)	Cuellar
Bishop (GA)	Castle	Cummings

Davis (AL) Kilroy
 Davis (CA) Kind
 Davis (IL) Kirk
 DeFazio Kirkpatrick (AZ)
 DeGette Kissell
 Delahunt Klein (FL)
 DeLauro Kosmas
 Dent Kratovil
 Dicks Kucinich
 Dingell Lance
 Doggett Langevin
 Doyle Larsen (WA)
 Driehaus Larson (CT)
 Edwards (MD) Lee (CA)
 Edwards (TX) Levin
 Ellison Lewis (GA)
 Engel Loeback
 Eshoo Lofgren, Zoe
 Etheridge Lowey
 Faleomavaega Luján
 Farr Lynch
 Fattah Maffei
 Filner Maloney
 Foster Markey (CO)
 Frank (MA) Markey (MA)
 Frelinghuysen Massa
 Fudge Matheson
 Giffords Matsui
 Gonzalez McCollum
 Gordon (TN) McDermott
 Grayson McGovern
 Green, Al McMahon
 Green, Gene McNeerney
 Grijalva Meek (FL)
 Gutierrez Meeks (NY)
 Hall (NY) Michaud
 Halvorson Miller (NC)
 Hare Miller, George
 Harman Minnick
 Hastings (FL) Mitchell
 Heinrich Moore (KS)
 Herseeth Sandlin Moore (WI)
 Higgins Moran (VA)
 Hill Murphy (CT)
 Himes Murphy (NY)
 Hinchey Murphy, Patrick
 Hinojosa Murtha
 Hirono Nadler (NY)
 Hodes Napolitano
 Holden Neal (MA)
 Holt Norton
 Honda Nye
 Hoyer Oberstar
 Inslee Obey
 Israel Oliver
 Jackson (IL) Ortiz
 Jackson-Lee Pallone
 (TX) Pascrell
 Jenkins Pastor (AZ)
 Johnson (GA) Payne
 Johnson, E. B. Perlmutter
 Kagen Perriello
 Kanjorski Peters
 Kaptur Pierluisi
 Kennedy Pingree (ME)
 Kildee Polis (CO)
 Kilpatrick (MI) Pomeroy

NOT VOTING—9

Barrett (SC) Capito
 Bishop (UT) Dahlkemper
 Boehner McCarthy (NY)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remaining in this vote.

□ 1413

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. WITTMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. WITTMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Price (NC) Quigley
 Reyes
 Richardson
 Rodriguez
 Ross
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sablan
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schauer
 Schiff
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak
 Shea-Porter
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Snyder
 Space
 Speier
 Spratt
 Stark
 Stupak
 Sutton
 Tanner
 Teague
 Thompson (CA)
 Thompson (MS)
 Tierney
 Titus
 Tonko
 Towns
 Tsongas
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Welch
 Wexler
 Woolsey
 Wu
 Yarmuth

NOT VOTING—9

Barrett (SC) Capito
 Bishop (UT) Dahlkemper
 Boehner McCarthy (NY)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remaining in this vote.

□ 1413

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. WITTMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. WITTMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE
 The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 229, not voting 11, as follows:

[Roll No. 644]

AYES—199

Aderholt
 Adler (NJ)
 Akin
 Alexander
 Altmire
 Arcuri
 Austria
 Bachmann
 Bachus
 Baird
 Bartlett
 Barton (TX)
 Bean
 Biggert
 Bilbray
 Bilirakis
 Blackburn
 Blunt
 Bonner
 Bono Mack
 Boozman
 Boustany
 Brady (TX)
 Bright
 Broun (GA)
 Brown (SC)
 Brown-Waite,
 Ginny
 Buchanan
 Burgess
 Burton (IN)
 Buyer
 Calvert
 Camp
 Campbell
 Cantor
 Cao
 Carter
 Cassidy
 Castle
 Chaffetz
 Childers
 Coble
 Coffman (CO)
 Cole
 Conaway
 Cooper
 Crenshaw
 Culberson
 Davis (KY)
 Deal (GA)
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Donnelly (IN)
 Dreier
 Driehaus
 Duncan
 Ehlers
 Ellsworth
 Fallin
 Flake
 Fleming
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen

NOES—229

Abercrombie
 Ackerman
 Andrews
 Baca
 Baldwin
 Barrow
 Becerra
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boccieri
 Bordallo
 Boren
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Braley (IA)
 Brown, Corrine
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney

Courtney
 Crowley
 Cuellar
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis (TN)
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards (MD)
 Edwards (TX)
 Ellison
 Emerson
 Engel
 Eshoo
 Etheridge
 Faleomavaega
 Farr
 Fattah
 Filner
 Foster
 Frank (MA)
 Fudge
 Gonzalez
 Gordon (TN)
 Grayson
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hall (NY)
 Halvorson
 Hare
 Harman
 Hastings (FL)
 Herseeth Sandlin
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Holden
 Holt
 Honda
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson, E. B.
 Kagen
 Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 Kind
 Kissell
 Klein (FL)
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Loeback
 Lofgren, Zoe
 Lowey
 Luján
 Lynch
 Maffei
 Maloney
 Markey (CO)
 Markey (MA)
 Massa
 Matsui
 McCollum
 McDermott
 McGovern
 McIntyre
 McMahon
 McNeerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Michaud
 Miller (NC)
 Miller, George
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (VA)
 Murphy (CT)
 Murphy, Tim
 Murtha
 Nadler (NY)
 Napolitano
 Neal (MA)
 Norton
 Oberstar
 Obey
 Oliver
 Ortiz
 Pallone
 Pascrell
 Pastor (AZ)
 Perlmutter
 Peterson
 Pierluisi
 Pingree (ME)
 Polis (CO)
 Pomeroy
 Price (NC)
 Quigley
 Rahall

NOT VOTING—11

Barrett (SC) Dahlkemper
 Bishop (UT) McCarthy (NY)
 Boehner
 Capito
 Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1420

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010”.

The CHAIR. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SNYDER) having assumed the chair, Mr. HOLDEN, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R.

3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, pursuant to House Resolution 673, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 673, the question on adoption of the amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. TIAHRT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TIAHRT. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tiahrt moves to recommit the bill back to the Committee on Appropriations with instructions to report the same back to the House forthwith amended as follows:

At the appropriate place in the bill, execute amendments numbered 1 through 22, printed in the Congressional Record of July 23, 2009.

POINT OF ORDER

Mr. OBEY. I make a point of order against the motion to recommit with instructions because it includes legislation and is not in order under clause 2 of rule XXI, and I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. TIAHRT. Mr. Speaker, I would just like to say that this, Mr. Speaker, takes the amendments that were not made in order by the rule en masse. It's very similar to what the manager did by, in aggregate, considering amendments, and I would ask that the Chair allow this vote up or down on the amendments that were not made in order by the rule.

The SPEAKER pro tempore. The Chair is prepared to rule.

As argued by the gentleman from Wisconsin, the amendment proposed in the motion to recommit violates clause 2 of rule XXI in a number of respects.

The point of order is sustained. The motion is not in order.

MOTION TO RECOMMIT

Mr. TIAHRT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman still opposed to the bill?

Mr. TIAHRT. I still am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tiahrt moves to recommit the bill H.R. 3293 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 2, line 19, after the dollar amount, insert "(reduced by \$195,000,000)".

Page 6, line 7, after the dollar amount, insert "(reduced by \$195,000,000)".

Page 7, line 21, insert "and" after the semicolon.

Page 8, line 2, strike the semicolon and insert a period.

Page 8, strike line 3 and all that follows through line 2 on page 9.

Page 43, line 16, after the first dollar amount, insert "(reduced by \$300,000,000)".

Page 43, line 19, strike the colon and all that follows through "expended" on line 23.

Page 84, line 17, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 84, line 18, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 86, line 25, after the dollar amount, insert "(reduced by \$148,000,000)".

Page 87, line 9, after the dollar amount, insert "(reduced by \$38,000,000)".

Page 91, line 23, after the dollar amount, insert "(increased by \$1,000,150,000)".

Page 91, line 24, after the dollar amount, insert "(increased by \$1,000,150,000)".

Page 94, line 8, after the dollar amount, insert "(reduced by \$88,000,000)".

Page 94, line 9 strike "\$4,400,000" and all that follows through "which" on line 11.

Page 94, line 11, after the dollar amount, insert "(reduced by \$83,600,000)".

Page 95, line 23, strike the colon and all that follows through "schools" on line 13 on page 96.

Page 107, line 7, after the dollar amount, insert "(reduced by \$111,615,000)".

Page 107, line 8, after the dollar amount, insert "(reduced by \$8,997,000)".

Page 107, line 9, after the dollar amount, insert "(reduced by \$102,618,000)".

Page 107, line 16, after the dollar amount, insert "(reduced by \$21,607,000)".

Page 107, line 18, strike "(3)" and all that follows through "(5)" on line 1 on page 108, and insert "and (3)".

Page 108, line 1, after the dollar amount, insert "(reduced by \$5,210,000)".

Page 108, line 11, after the dollar amount, insert "(reduced by \$47,139,000)".

Page 109, line 11, after the dollar amount, insert "(reduced by \$9,208,000)".

Page 109, line 15, after the dollar amount, insert "(reduced by \$1,188,000)".

Mr. TIAHRT (during the reading). Mr. Speaker, I ask unanimous consent to waive the reading of the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The SPEAKER pro tempore. The gentleman from Kansas is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, I offer this motion with the gentleman from Minnesota (Mr. KLINE). He's the ranking Republican on the Education and Labor Committee.

The motion is simple. It adds \$1 billion for special education with offsets from an equal amount on other agencies. Americans are compassionate people. We want every American to climb the ladder of success, even if we have to provide the less fortunate with an escalator.

Almost 35 years ago when the Individuals with Disabilities and Education Act, or IDEA as we refer to it, when it was enacted, the Federal Government mandated that our schools educate all children, even those with severe mental and physical disabilities. During the floor debate, it was clear the Federal Government was committed to pay 40 percent of the costs needed to educate a special-needs child. Today, however, we are falling short of that promise. Now, our good intentions have turned into bad consequences.

The Federal Government's mandate has undermined the public school system's ability to adequately meet the needs of the special children. This is not acceptable for either the children who need special education or those without disabilities who watch their education programs cut in order to fund IDEA.

Educating every child is the right thing to do, and I am proud that we are doing it today. Yet, IDEA has placed an extreme financial burden on our public schools, forcing school districts to rob Peter to pay Paul.

But we can fix this problem, this shortfall. By fully funding IDEA, we can put an end to this practice, helping all children reach their full potential.

I would now like to yield to the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. I thank the gentleman for yielding and for offering this motion to recommit.

Mr. Speaker, this is exactly the kind of amendment which should have been made in order during today's debate. It is completely germane. It is all about priorities in education funding.

As Mr. TIAHRT said, this motion to recommit would increase funding for IDEA by \$1 billion. We have for over 35 years fallen short of our commitment, the government's commitment, to fund special education and provide relief to every school in America. This bill would provide relief to every school in your districts. Even with the one-time spike in IDEA funding provided by the stimulus bill, we fall short of reaching the 40 percent threshold that Mr. TIAHRT discussed.

What this motion to recommit would do would increase that percentage of funding from the 17 percent where it sits to 18.3 percent in the base. We need to get that base up and let our superintendents, our principals, our teachers, our parents, our families know that that money is going to be there for the long term.

We take money from some other programs, absolutely. I am arguing that those programs, some of them brand new, some of them with hundreds of millions of dollars, may be important, but not as important as this. This is the debate that we should have had this morning. It's the debate that we are having now.

I am asking my colleagues to help us start to meet our obligation. Let's help our children with special needs.

Mr. TIAHRT. Mr. Speaker, I would just like to conclude by saying we only

take money from new programs or we continue programs that exist at a lower level than we have today to replace it with a higher priority program, IDEA, which meets the needs of our special-needs students, and also this will help preserve the ability to educate those who are not physically and mentally challenged in a better fashion. So I would urge its adoption.

I yield back the balance of my time.
Mr. OBEY. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, this is what I would call the original holy picture amendment. Sometimes we see legislators who think that the way to do business is to cut everybody else's priorities in order to fund theirs. That's not the way 435 people can come to a constructive conclusion. The fact is that this is a recovery or trailer amendment left over from the stimulus bill of a few months ago.

Just a few months ago, we had a stimulus bill on the House floor which increased special education by \$12 billion. In the 12 years the Republicans were in control of this House, they increased special education by a total of \$8.5 billion. We increased it by \$12 billion in 1 year, and not a single Member on that side of the aisle voted for it.

□ 1430

And now, they're belatedly trying to recover politically by cutting a laundry list of other programs in order to pretend that they found a responsible way to free up money to fund Special Education.

I want to point out that this amendment would cut \$100 million from the School Improvement account. That could endanger 100,000 kids who, right now, have after-school learning programs. It cuts \$148 million from the Innovation and Improvement account, Reach Out and Read, Teach for America, Full Service Community Schools, and Reading is Fundamental.

It eliminates \$88 million in smaller learning communities. We've learned from research that a lot of high schools need to be downsized. This cripples the program and would prevent 500,000 high school students from benefiting from that program.

It cuts almost \$170 million from the Community Service and Volunteer Program, including AmeriCorps and Summers of Service—summer jobs. It would also put at risk an effort to bolster the participation of disabled Americans in community service. It would cut the Foster Grandparents and Senior Companion program as well.

It would eliminate \$300 million from the Global Fund to Fight AIDS, Tuberculosis, and Malaria. If the H1N1 virus has taught us anything, it's that we have to attack these disease problems on a worldwide basis.

I think the amendment speaks for itself. I don't think we want to play

“fruit basket upset” just so that somebody can get better on a rollcall. I would urge defeat of the amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. TIAHRT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 248, not voting 14, as follows:

[Roll No. 645]

AYES—171

Aderholt	Gerlach	Murphy, Tim
Akin	Gingrey (GA)	Myrick
Alexander	Gohmert	Neugebauer
Austria	Goodlatte	Nunes
Bachmann	Granger	Olson
Bachus	Graves	Paulsen
Bartlett	Guthrie	Petri
Barton (TX)	Hall (TX)	Pitts
Biggert	Harper	Platts
Bilbray	Hastings (WA)	Poe (TX)
Bilirakis	Heller	Posey
Blackburn	Hensarling	Price (GA)
Blunt	Herger	Putnam
Bonner	Hodes	Radanovich
Bono Mack	Hoekstra	Rehberg
Boozman	Hunter	Reichert
Boustany	Inglis	Roe (TN)
Brady (TX)	Issa	Rogers (AL)
Broun (GA)	Jenkins	Rogers (KY)
Brown (SC)	Johnson (IL)	Rogers (MI)
Brown-Waite,	Johnson, Sam	Rohrabacher
Ginny	Jones	Rooney
Buchanan	Jordan (OH)	Ros-Lehtinen
Burton (IN)	King (IA)	Roskam
Buyer	King (NY)	Royce
Calvert	Kingston	Ryan (WI)
Camp	Kirk	Scalise
Campbell	Kline (MN)	Schmidt
Cantor	Lamborn	Schock
Cao	Lance	Sensenbrenner
Carter	Latham	Sessions
Cassidy	LaTourette	Shadegg
Castle	Latta	Shimkus
Chaffetz	Lee (NY)	Shuster
Coble	Lewis (CA)	Simpson
Coffman (CO)	Linder	Smith (NE)
Cole	LoBiondo	Smith (NJ)
Conaway	Lucas	Smith (TX)
Crenshaw	Luetkemeyer	Souder
Culberson	Lummis	Stearns
Deal (GA)	Lungren, Daniel	Sullivan
Dent	E.	Taylor
Diaz-Balart, L.	Mack	Terry
Diaz-Balart, M.	Manzullo	Thompson (PA)
Dreier	Marshall	Thornberry
Duncan	McCarthy (CA)	Tiahrt
Ehlers	McCaul	Tiberi
Emerson	McClintock	Turner
Fallin	McCotter	Upton
Flake	McHenry	Walden
Fleming	McKeon	Wamp
Forbes	McMorris	Westmoreland
Fortenberry	Rodgers	Whitfield
Fox	Mica	Wilson (SC)
Franks (AZ)	Miller (FL)	Wittman
Frelinghuysen	Miller (MI)	Wolf
Galleghy	Miller, Gary	Young (AK)
Garrett (NJ)	Moran (KS)	Young (FL)

NOES—248

Abercrombie	Altmire	Baca
Ackerman	Andrews	Baird
Adler (NJ)	Arcuri	Baldwin

Barrow	Harman	Obey
Bean	Hastings (FL)	Olver
Becerra	Heinrich	Ortiz
Berkley	Herseth Sandlin	Pallone
Berman	Higgins	Pascarelli
Berry	Hill	Pastor (AZ)
Bishop (GA)	Himes	Payne
Bishop (NY)	Hinchey	Perlmutter
Blumenauer	Hinojosa	Perrillo
Bocciardi	Hirono	Peters
Boren	Holden	Petersen
Boswell	Holt	Pingree (ME)
Boucher	Honda	Polis (CO)
Boyd	Hoyer	Pomeroy
Brady (PA)	Inslee	Price (NC)
Braley (IA)	Israel	Quigley
Bright	Jackson (IL)	Rahall
Brown, Corrine	Jackson-Lee	Rangel
Butterfield	(TX)	Reyes
Capps	Johnson (GA)	Richardson
Capuano	Johnson, E. B.	Rodriguez
Cardoza	Kagen	Ross
Carnahan	Kanjorski	Rothman (NJ)
Carney	Kaptur	Roybal-Allard
Carson (IN)	Kennedy	Ruppersberger
Castor (FL)	Kildee	Rush
Chandler	Kilpatrick (MI)	Ryan (OH)
Childers	Kilroy	Salazar
Chu	Kind	Sanchez, Linda
Clarke	Kirkpatrick (AZ)	T.
Clay	Kissell	Sanchez, Loretta
Cleaver	Klein (FL)	Sarbanes
Clyburn	Kosmas	Schakowsky
Cohen	Kratovil	Schauer
Connolly (VA)	Kucinich	Schiff
Conyers	Langevin	Schrader
Cooper	Larsen (WA)	Schwartz
Costa	Larson (CT)	Scott (GA)
Costello	Lee (CA)	Scott (VA)
Courtney	Levin	Serrano
Crowley	Lewis (GA)	Sestak
Cuellar	Lipinski	Shea-Porter
Cummings	Loebuck	Sherman
Davis (AL)	Loftgren, Zoe	Shuler
Davis (CA)	Lowey	Sires
Davis (IL)	Lujan	Skelton
Davis (TN)	Lynch	Slaughter
DeFazio	Maffei	Smith (WA)
DeGette	Maloney	Snyder
Delahunt	Markey (CO)	Space
DeLauro	Markey (MA)	Speier
Dicks	Massa	Spratt
Dingell	Matheson	Stark
Doggett	Matsui	Stupak
Donnelly (IN)	McCollum	Sutton
Doyle	McDermott	Tanner
Driehaus	McGovern	Teague
Edwards (MD)	McIntyre	Thompson (CA)
Edwards (TX)	McMahon	Thompson (MS)
Ellsworth	McNerney	Tierney
Engel	Meek (FL)	Titus
Eshoo	Meeks (NY)	Tonko
Etheridge	Melancon	Towns
Farr	Michaud	Tsongas
Fattah	Miller (NC)	Van Hollen
Filner	Miller, George	Velázquez
Foster	Minnick	Visclosky
Frank (MA)	Mitchell	Walz
Fudge	Mollohan	Wasserman
Giffords	Moore (KS)	Schultz
Gonzalez	Moore (WI)	Waters
Gordon (TN)	Moran (VA)	Watson
Grayson	Murphy (CT)	Watt
Green, Al	Murphy (NY)	Waxman
Green, Gene	Murphy, Patrick	Weiner
Griffith	Murtha	Welch
Grijalva	Nadler (NY)	Wilson (OH)
Gutierrez	Napolitano	Woolsey
Hall (NY)	Neal (MA)	Wu
Halvorson	Nye	Yarmuth
Hare	Oberstar	

NOT VOTING—14

Barrett (SC)	Dahlkemper	McHugh
Bishop (UT)	Davis (KY)	Paul
Boehner	Ellison	Pence
Burgess	Marchant	Wexler
Capito	McCarthy (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on the vote.

□ 1448

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Speaker, on rollcall No. 645, I was stuck in a meeting on health care and did not get back in time. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 264, nays 153, not voting 16, as follows:

[Roll No. 646]

YEAS—264

Abercrombie	Ellison	McCollum
Ackerman	Ellsworth	McDermott
Adler (NJ)	Engel	McGovern
Alexander	Eshoo	McIntyre
Altmire	Etheridge	McMahon
Andrews	Farr	McNerney
Arcuri	Fattah	Meek (FL)
Baca	Filner	Meeks (NY)
Baird	Foster	Melancon
Baldwin	Frank (MA)	Michaud
Barrow	Fudge	Miller (NC)
Bean	Gerlach	Miller, George
Becerra	Giffords	Minnick
Berkley	Gonzalez	Mitchell
Berman	Gordon (TN)	Mollohan
Berry	Grayson	Moore (KS)
Bilbray	Green, Al	Moore (WI)
Bishop (GA)	Green, Gene	Moran (VA)
Bishop (NY)	Griffith	Murphy (CT)
Blumenauer	Grijalva	Murphy (NY)
Boccieri	Gutierrez	Murphy, Patrick
Boren	Hall (NY)	Murphy, Tim
Boswell	Halvorson	Murtha
Boucher	Hare	Nadler (NY)
Boyd	Harman	Napolitano
Brady (PA)	Hastings (FL)	Neal (MA)
Braley (IA)	Heinrich	Oberstar
Bright	Herseth Sandlin	Obey
Brown, Corrine	Higgins	Oliver
Brown-Waite,	Himes	Ortiz
Ginny	Hinchey	Pallone
Buchanan	Hinojosa	Pascarell
Butterfield	Hirono	Pastor (AZ)
Cao	Hodes	Payne
Capps	Holden	Perlmutter
Capuano	Holt	Perriello
Cardoza	Honda	Peters
Carnahan	Hoyer	Peterson
Carney	Inslee	Pingree (ME)
Carson (IN)	Israel	Platts
Castle	Jackson (IL)	Polis (CO)
Castor (FL)	Johnson (GA)	Pomeroy
Chandler	Johnson, E. B.	Price (NC)
Childers	Kagen	Quigley
Chu	Kanjorski	Rahall
Clarke	Kaptur	Rangel
Clay	Kennedy	Reichert
Cleaver	Kildee	Reyes
Clyburn	Kilpatrick (MI)	Richardson
Cohen	Kilroy	Rodriguez
Connolly (VA)	Kind	Rogers (AL)
Conyers	King (NY)	Ros-Lehtinen
Cooper	Kirkpatrick (AZ)	Ross
Costa	Kissell	Rothman (NJ)
Costello	Klein (FL)	Roybal-Allard
Courtney	Kosmas	Ruppersberger
Crowley	Kucinich	Rush
Cuellar	Langevin	Ryan (OH)
Cummings	Larsen (WA)	Salazar
Davis (AL)	Larson (CT)	Sánchez, Linda
Davis (CA)	Lee (CA)	T.
Davis (IL)	Levin	Sanchez, Loretta
Davis (TN)	Lewis (GA)	Sarbanes
DeFazio	Lipinski	Schakowsky
DeGette	LoBiondo	Schauer
Delahunt	Loeback	Schiff
DeLauro	Lofgren, Zoe	Schrader
Dent	Lowey	Schwartz
Dicks	Luján	Scott (GA)
Dingell	Lynch	Scott (VA)
Doggett	Maffei	Serrano
Donnelly (IN)	Maloney	Sestak
Doyle	Markey (CO)	Shea-Porter
Driehaus	Markey (MA)	Sherman
Edwards (MD)	Marshall	Shuler
Edwards (TX)	Massa	Sires
Ehlers	Matsui	Skelton

Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)

Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters

Watt
Waxman
Weiner
Welch
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—153

Aderholt
Akin
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggart
Bilirakis
Blackburn
Blunt
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gohmert

Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary

Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Young (FL)

NOT VOTING—16

Barrett (SC)
Bishop (UT)
Boehner
Capito
Dahlkemper
Gingrey (GA)

Jackson-Lee
(TX)
Jones
Marchant
McCarthy (NY)
McHugh

Paul
Pence
Slaughter
Watson
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in the vote.

□ 1454

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 646, had I been present, I would have voted "yea."

REPORT ON H.R. 3326, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Mr. MURTHA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111-230) on the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. KISSELL). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. WATT, from the Committee on Financial Services, submitted a privileged report (Rept. No. 111-231) on the resolution (H. Res. 591) requesting that the President transmit to the House of Representatives all information in his possession relating to certain specific communications with and financial assistance provided to General Motors Corporation and Chrysler LLC, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2469

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 2469 the following Representatives:

Mr. LATTI of Ohio;
Mr. BROUN of Georgia;
Ms. FOXX of North Carolina;
Dr. GINGREY of Georgia;
Mr. SHADEGG of Arizona;
Ms. FALLIN of Oklahoma;
Mr. KING of Iowa;
Mrs. SCHMIDT of Ohio;
Mr. ISSA of California;
Mr. PENCE of Indiana;
Mr. CONAWAY of Texas;
Mr. KINGSTON of Georgia;
Mr. FLEMING of Louisiana;
Mr. PITTS of Pennsylvania.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman from Virginia, the Republican whip, for yielding. On Monday the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Tuesday the House will meet at 10:30

a.m. for morning-hour debate and 12 p.m. for legislative business. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business, and on Friday the House will meet at 9 a.m.

We will consider several bills under suspension of the rules. A complete list of suspension bills will be announced by the close of business today.

In addition, we will consider the 2010 Department of Defense Appropriations Act; also H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009; and H.R. 2749, the Food Safety Enhancement Act of 2009.

Mr. CANTOR. Mr. Speaker, I did not hear the gentleman speak of the prospects of the House considering the health care bill. I would ask the gentleman the status of that discussion and whether this House will be delivering on the Speaker's commitment that this House was going to vote on her health care bill.

I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding. The status of the health bill, I think as the gentleman probably knows, is it's still in the Energy and Commerce Committee. The Energy and Commerce Committee has not reported out that bill.

I don't know the Speaker's commitment, but certainly the Speaker and I both had the hope that we would be able to pass the health care bill by the time we left here on the 31st of July. My view is at this point in time, that may not be possible. However, that does not mean necessarily that we won't be here perhaps longer. I hope that's not the case; but if it proves to be necessary, we may be here a little longer, either on the Saturday or the 3rd or the 4th. I don't want anybody to be planning on that at this point in time. But currently the status of the bill is it's still in the Energy and Commerce Committee.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would ask the gentleman again for some clarification. Did I just hear the gentleman say that we will not be considering the health care bill this week?

Mr. HOYER. I didn't say it in so many words. But I have indicated and the Speaker has indicated that we're going to do 48 hours' notice, as required, or at least as we would hope to do. This is a very important bill. It is a bill that is of great consequence to all Americans, and we are going to meet those targets of notice.

□ 1500

So in that context, in light of the fact the bill is still in the committee, it may be impossible to meet that commitment and get the bill on the floor on the 31st. As a result, my view is the probability of doing that bill by the 31st is very small.

Mr. CANTOR. I thank the gentleman.

So to reiterate, I will say that I heard the gentleman say the prob-

ability of taking up the health care bill by the 31st is very small, and I suspect that is due to what we have read in the news reports for successive days now about the difficulty that your side is having in gaining a majority in support of the bill. We have said all along, Mr. Speaker, there is a reason that there's a bipartisan majority against the health care bill being proposed by the Speaker, and that is because people are unsure about the direction a government health care plan would take them.

Mr. Speaker, the gentleman knows we stand ready and willing to work together to try and effect reform for the American people. We on the Republican side of the aisle do not accept the status quo. We want to see a health care reform bill that works for the American people, maintains choice and quality, and reduces costs so more folks can have access to coverage, and that is not the bill before us, at least that which is being reported.

So I would ask the gentleman, if there is a very little probability that this bill would come up prior to the 31st, and given that he and I have had some discussion about the schedule, how long will we be in session beyond the 31st?

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

We think the bill that is pending—we are not sure that your premise is correct. As a matter of fact, we think your premise is probably not correct. We think the majority of people on this floor want to vote for a health care reform bill. We think a majority of people on this floor will vote for the bill that is currently pending as it becomes more perfected. So I'm not sure that—I'm not only not sure, I don't accept your premise that there aren't a majority of votes for the bill that is being considered in this House.

Having said that, however, my point was that we want to give appropriate notice. If we can't give appropriate notice by the 31st of July, it is possible, I'm not saying that we're going to be doing this, but it is possible that we would move on to either Saturday, the 1st, or Monday and Tuesday the 3rd and 4th, if need be, if that was appropriate. It may or may not be. I don't want to say at this point in time, but I do want to give Members some notice that that is a possibility.

Mr. CANTOR. I thank the gentleman.

Obviously, if the process had worked differently, I would suggest to the gentleman that if we were allowed to try and put forward the kinds of proposals that we are attempting to do and there was a receptivity on your side to allow for some of the "free-market principles and cost-control suggestions" that have been made, according to a Member on your side, Mr. MINNICK, back a few days ago, maybe we would be on a better course.

In the same way, I think a colleague from the gentleman's State, Mr.

KRATOVIL, said, the bill is not even out of all the committees and we're already talking about voting on this. We feel the same way, that there has been very little willingness to work together to try and get a health care plan right.

Mr. Speaker, the way that I believe we get it right is to tell the people of this country exactly what would be in store for them by the insistence that there be a government plan involved in their health care.

So I would tell the gentleman, we obviously stand ready to work with him and the Speaker to perfect a plan that could get much larger than just probably the small majority that he'll be able to produce, given the news reports that we are hearing.

With that, Mr. Speaker, I would like to ask the gentleman about his anticipation of next week's appropriations bill, the DOD bill. He and I, as the gentleman knows, have had a longstanding discussion on the rules. We, on this side of the aisle, have been extremely upset, as he knows, about the change in precedent in this House that somehow it was okay for this Congress to leave the precedent of open rule, to insist that we not be able to hold open discussions on issues surrounding the constitutional obligation of this body to spend taxpayer funds.

So I would ask, even after the good faith attempt that we have made to open up rules and have been rebuffed at each turn, is it his hope, is it his intention, that perhaps on the DOD bill, whether we could see that happen? And I yield.

Mr. HOYER. You're certainly going to have good faith on our side, as you've had all along. On the Defense Appropriations bill, it is my understanding there are well over 100 amendments that have been filed. Clearly, if we did that under an open rule or allowed all 100 amendments—which, by the way, are by one Member. There are over 100 amendments by one Member—we would never finish the bill if we stayed through August.

Having said that, I have talked to the chairwoman, and it's my belief that Mr. FLAKE, who has filed over 100 amendments, will be given, certainly, ample opportunity to choose which amendments he wants to offer at the time that we consider the bill. I don't know the other amendments. Notice has been filed. I don't know the other amendments and don't know what the Rules Committee is going to do. But I will tell the gentleman, as I'm sure he knows, the bill will come under a rule.

We believe that your side of the aisle has had most of the amendments that have been offered, clearly, and Mr. FLAKE and others, Mr. HENSARLING were given the opportunity to offer a number of their amendments on earmarks, which I know are of great concern to both sides of the aisle.

So I say to the gentleman, we do expect to take the Defense bill up under a rule similar to those under which we have operated, which have facilitated,

by the way, as the gentleman knows, all 11 of the 12 appropriations bills having passed. And while I was not sure of what was going to happen on the health care bill, we will achieve our objective of passing all 12 appropriations bills in a timely fashion.

I yield back.

Mr. CANTOR. I thank the gentleman.

I think the gentleman, though, speaks to the point I'm trying to make. We are trying to get things right here, and spending billions of dollars for spending's sake is not the goal here, and I know he agrees with me on that, that we are trying to effect the most prudent expenditure of taxpayer dollars in these very difficult economic times.

As the gentleman knows, we voted on a PAYGO bill this week, and frankly, the spirit behind that PAYGO bill was to attempt to restrain the type of spending that we've seen this Congress conduct. In fact, this week, in one of the reports, one of the authors of an opinion column said, frankly, we are spending—the spending PAYGO bill that was passed this week was full of loopholes.

And again, we know that the PAYGO bill that was passed was that. It wasn't a holistic PAYGO bill. It wasn't something that, frankly, will do much to address the runaway spending. So we still sit here, Mr. Speaker, and want to have an open process so we can contribute to holding back the runaway spending in this town.

So I would say to the gentleman, just as he has said to me, we ought to be looking to try and open up this process again. We were not allowed to do so in the PAYGO debate and address the number one concern of this government right now, which is the runaway spending. We have not been allowed to do so in any of the appropriations bills, and if we are going to be here through the weekend, as the gentleman may suggest, why isn't it we couldn't take that time to debate the DOD bill in an open and full, transparent manner?

I yield.

Mr. HOYER. As I said, I think we'll have a rule similar to the ones that we have considered the previous 11 bills under.

Mr. CANTOR. I didn't hear the gentleman, Mr. Speaker.

Mr. HOYER. I said, as I said, I believe we will be considering the defense bill under rules similar to those which have led to the passage of the other 11 bills.

I yield back.

Mr. CANTOR. I will say to the gentleman, obviously, with much disappointment, and I think really reflecting the disappointment on the part of the American people, that we should be having a much more robust debate on these issues. Certainly, if we are going to be addressing the issue of health care, and the gentleman says that his side is insistent on rushing back to the floor, insisting on some political deadline, then I don't understand why it is we couldn't have an

open debate on some of the other issues if we are going to be waiting around here until next Monday or Tuesday.

So, with that, Mr. Speaker, I thank the gentleman, and I yield back.

ADJOURNMENT TO MONDAY, JULY 27, 2009

Mr. HASTINGS of Florida. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, July 28, 2009, for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

INCREASE PRESSURE ON HONDURAN COUP GOVERNMENT

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, the de facto government in Honduras and President Zelaya should accept the San Jose Accord proposed by Costa Rican President Oscar Arias. The Arias proposal includes the return of President Zelaya, formation of a unity government, a general amnesty for political crimes by all parties, and moves forward the date of the upcoming elections.

The U.S. should impose tough sanctions on the de facto government that carried out the coup. The U.S. should suspend all MCC funds, cancel visas for members of the de facto government and their families, and freeze all their assets in the United States. President Zelaya must also accept the terms of the Arias proposal in order to restore democracy in Honduras and avoid greater conflict and bloodshed.

Not a single, solitary government in the world recognizes the coup government. It's time to end this stalemate and move forward. The Arias proposal puts the Honduran people first, treats all parties with respect, and offers a peaceful resolution. It's not too late for President Zelaya and Roberto Micheletti to accept it.

F-22 PRODUCTION

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, 2 days after the Senate voted to strip funding for an additional seven F-22 Raptors from the 2010 National Defense Authorization Act, it seems that critical information may have been withheld that could have influenced the outcome of this vote; an internal Pentagon oversight board report has

revealed that full rate production of the F-35 Joint Strike Fighter may be delayed.

Given that the need to transition to the F-35 was cited by several Senators who voted to terminate the F-22 program, it is indeed troubling that this information was held internally until after the F-22 vote earlier this week. If the Pentagon had been forthright with the facts, there is a very strong chance that the hearts and the minds of several Senators might have been changed and the funding for the additional F-22s may not have been stripped.

The news that the F-35 will again be delayed only further strengthens the argument for continued production of the world's only fifth-generation fighter in full-rate production, the F-22 Raptor.

I hope that as we move forward with negotiations between the House and the Senate on the future of the F-22 program, the Pentagon will make every effort possible to ensure that Congress is fully briefed on the facts and what they mean for the future of American air dominance.

JULY 24, 2009, THE FIFTIETH ANNIVERSARY OF THE KITCHEN DEBATE

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, today, July 24, marks the 50th anniversary of an important incident in the history of the cold war, the famous Kitchen Debate in Moscow between then Vice President Richard Nixon and Soviet Premier Nikita Khrushchev.

At the informal debate in 1959, Mr. Khrushchev predicted wrongly that the Soviet Union would overtake America in economic prosperity. As Time Magazine reported, Vice President Nixon managed in a unique way to personify a national character proud of peaceful accomplishment, such as its way of life, confident of its power under threat.

Today, I pay tribute to President Nixon for his diplomacy and his years of service to the Nation, including at the Kitchen Debate 50 years ago today.

FOREIGN WORKERS AND U.S. AIRCRAFT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, American taxpayers spend millions of dollars a year screening people who board an airplane. We check IDs and roll-on luggage. We check purses, pockets and computers, and we take off our shoes. We check everything that goes through the door. But the next attack on our country is probably not going to be because somebody is flying in an airplane. It will probably be because somebody has access to our airports and our airplanes who shouldn't.

Byron Burris of WFFA in Dallas reports that the San Antonio Aerospace facility in Texas has hired 767 foreign airplane mechanics over the past 2 years without a real background check. These mechanics come from 45 countries, including Vietnam, Ethiopia, Egypt, Venezuela, Nicaragua, Cuba, Jordan, China and Sudan. These people work on American airplanes.

The State Department says it does a "criminal" background check, but reports indicate those checks are of poor quality and sometimes are left up to a third party.

We are ignoring the obvious when it comes to airline safety. Foreign workers with shady or unknown backgrounds should not have access to American aircraft.

And that's just the way it is.

□ 1515

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, just a moment ago I heard the minority whip profess interest in working with the Democrats to reform the health care system. Yet, I'm sad to say that the minority whip, the minority leader have been part of an effort to deal with fear and misrepresentation, attacking bipartisan legislation that would have done precisely that, reform the health care system.

Sadly, Mr. Speaker, there are some here who simply are not expressing the sense of urgency that most of us feel from the American people, a sense of urgency about fixing a broken health care system that costs too much, that produces wildly uneven results, and leaves too many outside the system of coverage, and others, with health insurance, at risk. We cannot continue along this path. Americans are not getting the help they need, even if they have insurance coverage. I was, I must say, disappointed, to say the very least, to see the attack on bipartisan legislation that we have worked on to help reform the health care system.

In a statement from the minority leader, and with the whip, and Mr. McCOTTER, there is an allegation that somehow there is legislation in the

health care draft that may place senior citizens in situations where they feel pressured to sign end-of-life directives that they would not otherwise sign that may start us down a "treacherous path towards government-encouraged euthanasia if enacted into law."

Well, Mr. Speaker, nothing could be further from the truth. Had the minority leader, and his whip, and the conference Chair bothered to check how that legislation came to be enacted into our health care legislation, they would have found out that it was work of a bipartisan group of Ways and Means Committee members. There were Republicans cosponsoring it along with Democrats. We had spirited discussion dealing with the fact that too often senior citizens and their families are not given the information they need to be able to cope with the most serious situation any of us will ever face as we have a loved one move into the end of his or her life.

We discussed how Medicare would pay for tests to hook people up, to poke them, to run them through machines, to have them on ventilators, to do all sorts of things; but it will not pay a health care professional to sit down with that patient, with that family, and let them know what they expect, answer their questions, help them know what their choices are. We had examples of committee members talk about their loved ones, and I would say, Republican committee members talk about how their loved ones didn't get that type of help at the end of life and actually were subjected to things that they thought were not in the best interests of their loved one. If they had a choice, they wouldn't have done it over again, and it didn't prolong their life, it actually made them less comfortable.

We're seeking to change that, to be able to adjust Medicare so that it speaks to the needs of American seniors and their families, that they're given the attention they need to prepare for this difficult period of time. There's nothing in this legislation that would force people to have consultations. There's nothing that would force them to sign advance directives. It's not going to choose a health care professional by the government and force it on them.

It's the type of sad, inflammatory rhetoric that suggests that people aren't serious about health care reform, not serious about meeting the needs of American families, but, rather, they're playing political games. Mr. Speaker, I can't tell you how disappointed I was to see this type of reaction to a carefully crafted piece of legislation that we've been working on for more than 6 months that is bipartisan and that speaks to the needs of American families.

The American public, especially our senior citizens, deserve our best efforts to meet their needs, not treat them like political footballs. I hope the Republican leadership will reconsider,

and that we'll be able to enact provisions like this to help our senior citizens.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE BEST PRODUCT FOR AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, back in November, Hank Paulson, the Secretary of the Treasury, and President Bush came to Congress in a rush that the financial sky was going to fall out if we did not pass the TARP bill, the financial bailout for Wall Street. Now, we were told that if we didn't do it, that stock portfolios and savings of Americans all over the country would decrease, maybe as much as 30 or 40 percent. Well, in that spirit of panic that frequently happens in this town, we did pass TARP. And what happened to your IRA back home? What happened to your savings account? What happened to your stock portfolio? Unless you're extremely lucky and unusual, your assets dropped by 30 or 40 percent. So much for the \$700 billion bailout.

And then in January, President Obama, using the same panic tactic, came to us and said, we have got to pass a second stimulus program. Keep in mind we had already passed one under President Bush in May of 2008. But we had to pass, in a hurry, something big, something dramatic, \$790 billion for a stimulus program. Why? Because the unemployment rate was 8 percent. But this would give us immediate results, President Obama promised. And so that was passed by Congress.

And yet, now, unemployment is approaching 10 percent, and in States like Michigan, as high as 15 percent; 2½ million Americans have become unemployed since the passage of the stimulus program. And now we have the same Washington-knows-best experts telling us that we have to pass major health care reform by next week, August 1.

Now, I want you to think about this. This is 17 percent of the economy, and we would put it in the hands of the Federal Government. It would set up a scheme where there would be a health care czar that would run and stipulate insurance policies all over the country; and in order to sell insurance in the United States of America, you would have to go through this bureaucracy and enter into an exchange. And there, inside this closed circle defined by the Federal Government, you would compete against a government option

which would have the rules rigged in its favor. And if you, as an individual, did not do that, you'd have to pay a 2½ percent surcharge. And if you, in a small business, did not offer insurance to your employees you'd have to pay 8 percent.

Is that the best way to get things done? A huge, \$1.2 trillion expense on top of the TARP bill, on top of the stimulus bill, on top of the war in Iraq, on top of all the other problems that we have, we're now going to go out and spend \$1.2 trillion and tax virtually everybody in America to do it. We can also look at the Canadian or the German or the British system and see the rationing that it leads to. And we know, if you live around a border State near Canada, that when they need to see a doctor, they come to the United States of America.

And we have also seen in States like Massachusetts, where they have a government option, that it takes twice as long to see a doctor as it does in Los Angeles. We also know that this plan will do away with Medicare Advantage. I don't know if the AARP realized that when they endorsed the bill, but this not only does away with Medicare Advantage, but it cuts Medicare itself. And then, between you and the doctor comes the bureaucrat, because you don't get a second opinion under the government-run health care system. What the doctor tells you, that sticks. You can't go to three or four doctors because the bureaucrats in Washington who make the rules don't allow it.

These are things that concern me. They concern Democrats and Republicans alike, seniors and young people entering into the workforce. That's why I think we should slow this system down. And when you hear somebody say this does not require a senior citizen to have a consultant with their doctor and the government bureaucrat every 5 years, on their end-of-life plan, they're wrong because that is in the bill. Every 5 years senior citizens are supposed to report to some bureaucrat and say, here's my 5-year end-of-life plan, and as President Obama said himself, and we are going to strongly encourage hospice.

Well, you know, I'd rather have my mom make that decision as my dad, who is now dead. I'd like to have her make that decision just as he did, with his doctor, not bringing in a government bureaucrat, and not having to have some sign-off by some government bureaucrat. That should scare anybody who's parents are alive or any senior citizens.

Indeed, there are better ways to do this thing: association health plans that would allow small businesses to band together and get the economies of scale that the big purchasers of insurance can get; medical savings accounts, which would allow you to have deductibles; many other options. We can look at them. We need the time. Let's make the time count. Let's pull Democrats and Republicans together for the best product for America.

□ 1530

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. SALAZAR) is recognized for 5 minutes.

(Mr. SALAZAR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SENIORS MUST CONTROL THEIR OWN HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, this body passed a cap-and-trade bill, and we had people coming down, friends across the other side of the aisle, saying this isn't going to cost jobs, that it's going to create jobs. Well, they telegraphed, every time that was said, that they'd not read the bill. They assured America that this was going to create green jobs and that it wasn't going to cost jobs.

If they'd bothered to read the bill, they would have seen that, before the 300 pages were added and, unaffected by the 300 pages, there was a fund created to pay an allowance to people who'd lost their jobs because of the bill. It also created a fund that could help them with relocation after they lost their jobs because of the bill. They just hadn't read the bill, so they were able to come down and, with righteous indignation, say it wasn't going to cost jobs. I knew they were being honest. They were just ignorant about what the bill said, but it will cost jobs, and now we're told that some of us don't care about seniors.

Mr. Speaker, I'm here because I care about seniors, and I know what that health care bill is going to do to them. It is going to put seniors on lists to get treatment. The lists will be for those who are not considered too old to be put on lists.

If you'd followed the President's own presentation in that townhall, Ms. Pam Stern pointed out her mother was nearly 100, and she needed a pacemaker. Her doctor said, because of the joy and quality of her life, she should have one, but the arrhythmia specialist said, no, not somebody her age until he met her. Then he said, Well, of course, she needs to have one. So they did and she's now 105.

So Ms. Stern asked the President, Is there any consideration to be given for a certain spirit, joy of living, quality of life, or is it just a medical cutoff?

He went into a long explanation, and ended by saying, You know what? We at least can let your mom know that,

you know what, maybe this isn't going to help, maybe you're better off not having the surgery but taking a painkiller. Taking a painkiller, when we've already seen that she had another 5 years, and the President wants to say, Well, maybe we'll just give you a painkiller and let you die?

This is going to allow seniors to die who could have a much more ongoing, productive life. There is no reason to do this.

Now, when I and my staff looked at this, the latest numbers we were able to get were from 2007 of, roughly, 112 million households in America. If you divide that into the amount of money paid into Medicare and Medicaid, it's \$9,200 per household for every household in America.

Well, once I saw that, I realized, boy, there is a way for the first time in 40-something years to give seniors control over their own health care and over their own lives. You give them \$3,500 in their own health savings accounts that they control. You give them a debit card. They have exclusive control. No insurance company can tell them what to do with it. Then you buy them private insurance, and they won't have to do like my mother-in-law did and buy supplemental insurance on top of that. You buy them good insurance. They don't need to do that. On top of that, you save the country hundreds of billions of dollars a year. Now, that puts control in seniors' hands, and it saves the country money.

This isn't about that. It is about control. This health care bill is about control. It's about taking charge of people's lives.

We had the EPA already say, since carbon dioxide is a pollutant, this body has the right to control any entity that puts out carbon dioxide. Well, maybe there are people here in the majority who can pick out individuals and say, You know what? I'm tired of them putting out carbon dioxide. It's time for them to stop. I mean that's how ludicrous it gets, except that, once you can control whether people put out carbon dioxide, you can control whether they live or not. Once you can control their health care, you can have the right to say, You know what? I noticed on your credit card purchase you bought some Twinkies last month, and therefore, we're not going to provide health care unless you quit buying those. I mean this is going to get so intrusive.

The one thing that's clear is that Orwell was 25 years early, because this is going to be so Orwellian with Big Brother looking into everyone's lives and having the right to do so once they pay for your health care. This will allow seniors to die, waiting in line for lists. Do you think that's over the top? I had a Canadian man tell me that just a few weeks ago.

His dad got put on a list for bypass surgery, and he had to wait 2 years. I said, Why did it take so long? He said, Well, the bureaucrats kept moving him back.

Let's don't kill our seniors. Let's give them control. That's what Americans should do.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MARKING ANNIVERSARIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Mr. Speaker, anniversaries, marking anniversaries, is a very important thing to do, and we do that on a regular basis.

In fact, just this past week, a great deal of attention was focused on that marvelous achievement when we saw Neil Armstrong 40 years ago take that first step on the Moon. We in just a few months are going to be marking the 20th anniversary of that amazing achievement, which many of us throughout our lifetimes thought would never happen, and that was the crumbling of the Berlin Wall, and there are countless other events that take place that are regularly remembered.

The importance of remembering events that have taken place, Mr. Speaker, is that we want to do everything that we possibly can to learn from those very tragic experiences and also from the good experiences so that we can ensure that the world is a better place.

Eleven years ago at this very moment, there was a tragic occurrence here in our Nation's Capitol, and I remember it just as if it were yesterday. It was when we saw a madman come into the Capitol, what is now referred to as Memorial Door. At that door, he

brutally murdered Officer Jacob J. Chestnut and Detective John Gibson of the U.S. Capitol Police.

Mr. Speaker, in just one moment, colleagues of ours and Members of the U.S. Capitol Police are going to be, for 1 minute, taking a moment of silence to remember the lives of those heroes who were here, defending the U.S. Capitol. Earlier today, here in the House Chamber, we all know that, in remembering that occurrence of 11 years ago, we did have a moment of silence in remembrance of those great men.

At this moment, since it is now 3:40, Mr. Speaker, I would like to ask that we have 1 minute of silence to remember the lives of Officer Chestnut and Detective Gibson.

Thank you very much, Mr. Speaker. I would like to continue the train of marking anniversaries.

Today, I rise to mark the occasion of the 220th anniversary of the First Congress and what is, perhaps, the most important milestone that was achieved in that first session of Congress, that being, of course, the passage of the Bill of Rights.

Two hundred twenty years ago, James Madison, a Congressman from Virginia and the Father of our Constitution, introduced a package of constitutional amendments, sparking a great, historic debate in the House of Representatives and in the Senate. This came about despite the fact that Madison had opposed the inclusion of a Bill of Rights when drafting the Constitution.

It came about because his constituents demanded it. Lives, fortunes and sacred honor had been sacrificed in the war that followed the signing of our Declaration of Independence, and many believed fervently that it would all have been in vain were it not for putting in place a Bill of Rights. The States, Mr. Speaker, went on to ratify 10 of the 12 amendments that Congress passed, the very first 10 amendments to our Constitution, which collectively are known around the world as the most enduring and comprehensive guarantor of rights in the modern world.

I believe there is great value in remembering our history as a nation and as an institution, and in examining the lessons that can be applied to our own era today. As we deal with the many challenges today—the worst recession in recent memory, two ongoing wars and a worldwide struggle that is going on against violent extremism—there is much to be gleaned from the great debates of our past, and the more we know about where we have been, the better we can understand where we are now and where we as a nation are headed.

On May 4 of 1789, James Madison announced his intention to introduce a series of amendments that would constitute the Bill of Rights that many opponents of the Constitution had sought. Though 11 of the 13 States had ratified the Constitution, there re-

mained those who opposed the Constitution and the system of federalism it established. Chief among the complaints by those who had not supported the Constitution was, as I said, the absence of a clear Bill of Rights.

As I've said, Madison, himself, had originally opposed the issue when he crafted and then, under the nom de plume Publius, joined Alexander Hamilton and John Jay and penned the Federalist Papers with the goal of defending the U.S. Constitution. But he came to see the value not only in explicitly delineating the rights of the citizens of the United States, but more importantly, he came to see the value in bringing unity to the Nation and in consolidating support for our Constitution.

On June 8 of 1789, he introduced his proposal in the House of Representatives. Two hundred twenty years ago this very week, on July 21, 1789, the matter was referred to the Rules Committee on which Madison served. After reviewing the proposal, the committee moved the amendment package to the House floor on August 14, marking the start of a very vigorous debate right in the House of Representatives where we are privileged to serve, Mr. Speaker.

□ 1545

That debate carried on for 10 days, 10 days as Members passionately argued for and against the individual amendments, passing some, amending some, and rejecting others. On August 24, the House took its final vote and passed 17 amendments sending them over to the other body, to the Senate, for consideration.

220 years ago this summer, the Senate began its debate on August 25. The debate carried on throughout the month of September and additional changes were made. Ultimately, a conference committee was convened and both the House and the Senate passed the final version on September 24 of 1789, having whittled the package down to 12 proposed constitutional amendments. As we all know, the States went on to ratify 10 of those, and Mr. Madison's Bill of Rights was incorporated into our Constitution.

Now, throughout that summer and early fall 220 years ago, many passionate arguments were made for and against the proposed constitutional amendments, but I believe, Mr. Speaker, that the most instructive debate came on June 8 when Madison first introduced his proposal in the House of Representatives. He argued vigorously for the need to pass a Bill of Rights, but he also presented a fair representation of the arguments against a Bill of Rights. He welcomed a fair, open, and spirited debate, and he wanted it to take place on the floor of the House of Representatives where it could be conducted in the light of day and within plain view of the American people.

Though Madison had previously opposed the idea, he became increasingly ambivalent, and then ultimately, as we

all know, supportive of the need for a Bill of Rights. But he remained sympathetic to the argument that rights that are enumerated are inherently limited. He noted that some believe, "that a declaration of rights . . . is either ineffectual or improper. It has been said that in the Federal Government, they are unnecessary because the powers are enumerated, and it follows that all that are not granted by the Constitution are retained by the people; that the Constitution is a bill of powers, the great residuum being the rights of the people."

Madison, Mr. Speaker, understood, that the government does not grant the people their rights; rather, the people grant their government certain powers. For this reason, he sought to assuage these concerns by including in his proposal a provision clarifying that—and as I quote again from that speech—"The exceptions here or elsewhere in the Constitution made in favor of particular rights, shall not be so construed as to diminish the just importance of other rights retained by the people; or as to enlarge the powers delegated by the Constitution."

Congressman Madison knew that this was an important clarification to make, but ultimately he believed very deeply that despite the concerns, the imperative for moving forward was far more compelling.

As I said at the outset, Mr. Madison very passionately believed in bringing unity to our Nation on the question of our Constitution. He saw this as the most fundamental of issues, and he believed very deeply in continuing to work towards consensus despite the fact that the necessary majority had ratified our Constitution already.

In his speech on June 8, he expressed respect and understanding for those whose point of view on our system of Federalism was different from his, and he said the following: "Yet still there is a great number of our constituents who are dissatisfied with (our Constitution), among whom are many respectable for their talents, their patriotism, and respectable for the jealousy they have for their liberty, which, though mistaken in its object, is laudable in its motive."

Mr. Speaker, Congressman Madison widely understood that Congress' capability as a representative body dependent upon the full support of those they represented, whatever disagreements on the various issues of the day there may be that exist, Congress' legitimacy in working out these issues would be called into question as long as there remained a vocal minority who opposed the very existence of the Constitution and our Federal Government.

He noted that "so far as to satisfy the public that we do not disregard their wishes, it will have a salutary influence on the public councils, and prepare the way for a favorable reception of our future measures."

Mr. Speaker, he also saw the passage of a Bill of Rights as an opportunity to

demonstrate good faith to those who were skeptical of the Federal Government and its powers, saying, "those who have been friendly to the adoption of this Constitution may have the opportunity of proving to those who were opposed to it that they were as sincerely devoted to liberty and a republican government as those who charged them with wishing the adoption of this Constitution in order to lay the foundation of an aristocracy or despotism. It will be a desirable thing to extinguish from the bosom of every member of the community any apprehensions that there are those among his countrymen who wish to deprive him of the liberty for which they valiantly fought and honorably bled."

Mr. Madison viewed the unity of the Nation on the issue of our Constitution as far more important than any reservation some may have had on the need for a Bill of Rights, and he championed the need for a rigorous, very rigorous, debate on the issue.

Mr. Speaker, he also believed that despite his earlier ambivalence, that the case for a Bill of Rights was ultimately persuasive on the merits because of the needs for checks and balances on the powers of the Federal Government. Though he found persuasive the argument that the government's powers are enumerated and therefore our liberties need not be, he recognized that explicitly enumerating the most important rights would help to place a check on the governments power.

He noted, "It is true the powers of the general government are circumscribed . . . but even if government keeps within those limits, it has certain discretionary powers with respect to the means, which may admit of abuse to a certain extent."

Mr. Speaker, ever mindful that government is made up of fallible men, Madison believed wholeheartedly in the need to hold the Federal Government's power in check.

He also understood that the issue of basic rights could not be left merely to the whims of majority rule. In fact, he feared this even more than the potential abuse of government, saying again in that June 8 speech, "I confess that I do not conceive that in a government modified like this of the United States, the great danger lies rather in the abuse of the community than in the legislative body. The prescriptions in favor of liberty, ought to be leveled against that quarter where the greatest danger lies, namely, that which possesses the highest prerogative of power. But this is not found in either the executive or legislative departments of government, but in the body of the people, operating by the majority against the minority."

Mr. Speaker, had Madison not taken up the cause of the Bill of Rights, our Constitution may never have explicitly enshrined our freedom of speech, freedom of press, of religion, of assembly, of our right to petition our government. It may have never expressly

guaranteed trials by juries of our peers or guarded against lawful searches and seizures, self-incrimination, cruel and unusual punishment, or double jeopardy.

Today, we hold these enumerated rights to be as self-evident and fundamental as the rights of life, liberty, and the pursuit of happiness that the Declaration of Independence claimed. We can't imagine our Constitution without the Bill of Rights. But what I believe is most instructive for us today is not the contents of Madison's Bill of Rights, but the manner in which he proposed it. The intellectual rigor which led him to champion this cause and with which he made his case to his colleagues and the American people was very important.

That open, vigorous, comprehensive debate that was held in the United States House of Representatives and the tenure of that debate being, Mr. Speaker, as we've seen from the text of that June 8 speech, 1789, as was introduced by Mr. Madison, he had great respect for the views of the Members with whom he disagreed. He argued with civility, comity, and respect. He did not impugn his adversaries' motives and, in fact, defended them.

He passionately sought consensus on the fundamental issues and placed it above his own ambivalence on lesser concerns. He urged his colleagues to act based on "the principles of amity and moderation," to "proceed with caution," but that ultimately they must act resolutely "to satisfy the public mind that their liberties will be perpetual."

He clearly did not believe that decisive action and a full, open debate were mutually exclusive. In fact, he saw them as being fully intertwined, that elevating the debate above reproach would give this body the moral authority to act decisively and appropriately as a truly representative body.

In his closing remarks that day, June 8, 1789, Mr. Speaker, Congressman Madison said, "If we can make the Constitution better in the opinion of those who are opposed to it, without weakening its frame or abridging its usefulness in the judgment of those who were attached to it, we act the part of wise and liberal men to make such alterations as shall produce that effect."

Let me repeat that final phrase, Mr. Speaker, Mr. Madison said, "we act the part of wise and liberal men." By that, one can only surmise that he meant we're not here to grandstand. We're not here to demagogue or turn the important issues of our day into political footballs. We're not here to attack those who hold different views or stifle debate or prevent opposing views from being heard. We're not here to become mired in petty arguments and partisan politics. We are here, Mr. Speaker, as we all know, we are here—and James Madison set the example of this—we are here to deliberate. We are here to honestly and openly confront the difficult challenges we face together as a

country, to ensure that our constituents' concerns, whether they represent the majority or the minority view, can be voiced and discussed in the House of Representatives.

I believe very much in this Madisonian model of rigorous yet civil debate. So it's with great dismay and sadness, Mr. Speaker, that I have seen the tenure of our debate deteriorate and the legislative process grow ever more closed in recent years. I believe, Mr. Speaker, that Republicans and Democrats alike have shared in the blame for this deterioration, but there is no doubt whatsoever, no doubt, that that deterioration has accelerated dramatically in the past few years.

We've seen the opportunities for open debate become rarer. What's more, the level of debate and transparency allowed has been inversely proportional to the significance of the legislation in question. The more consequential, the more complicated, the more controversial a bill may be, the less opportunity there is for the kind of intellectually rigorous debate that James Madison called for and exemplified.

One by one, Mr. Speaker, the traditions and precedents of this House have been disregarded. Perhaps the most significant of these has been the abandonment of openness in the appropriations process which, as is the tradition, we are in the midst of consideration this summer, and we have only one appropriations bill left to be considered, the Department of Defense Appropriations bill next week.

□ 1600

Now, throughout our 220-year history, the House of Representatives has considered its annual appropriations bills with an open debate. In recent history, this open appropriations process has been one of the very few opportunities that Members of the House have to get to freely offer amendments and have a debate on the issues that matter most to them.

Unlike the Senate, we have a Rules Committee on which Congressman Madison sat in the House of Representatives. The modern Rules Committee sets the terms and conditions of debate on almost every major bill that comes to a vote. These terms and conditions have become increasingly more restrictive, shutting out all amendments to more legislation than ever before and significantly limiting the number of amendments on others.

But, Madam Speaker, the open appropriations process has always been held sacrosanct because we have no greater constitutional duty in this body than holding the power of the purse.

We have the very serious responsibility of spending the taxpayers' hard-earned money, and this responsibility deserves to be considered under a completely open and transparent process. There have been times in the past when some limits have been imposed. This has almost always been done by unanimous consent, both parties coming to-

gether to expedite matters after a period of open debate. There have been other instances of debate restrictions on individual appropriations bills that have been put into place for various reasons.

But, Madam Speaker, those have been the exceptions to the rule. And the rule has been an open, good-faith process in which any Member, Democrat or Republican, I underscore that again, any Member, Democrat or Republican, can offer any amendment that conforms to the rules of the House. I am proud to say that this is certainly the spirit in which Republicans operated during the 12 years that we held the majority, and during 8 of those I was privileged to serve as chairman of the House Rules Committee.

But this year, we have seen a very troubling reversal of this practice. Madam Speaker, from the very outset, before a single vote was cast or a single word of debate was uttered, the appropriations process was restricted. Rather than granting the traditional and customary open rule to our appropriations bills, they imposed a preprinting requirement.

Now, the preprinting requirement means that rather than a free-flowing and rigorous debate that has always characterized our appropriations process, Members were required to submit their amendments in advance to be printed in the CONGRESSIONAL RECORD.

And now this may seem like a reasonable requirement at first glance, and many on the other side of the aisle argued that it was a very reasonable request. Why shouldn't amendments be submitted in advance of debate? In practice, there are a number of ways that unfortunately this stifles the Madisonian debate.

First of all, appropriations bills are often debated over the course of a number of days. I mean, 10 days on the Bill of Rights. We have had 3, 4, 5 days on appropriations bills for many, many years. When a deadline is imposed prior to the start of debate, in effect this requires amendments to be submitted 2, 3 or even 4 days in advance of when debate on the relevant section of the bill is considered.

Secondly, the Budget Act prevents Members from offering amendments that increase the overall cost of an appropriations bill, and that's a correct thing. This means that if a Member wants to increase funding for a particular program, the amendment must also cut funding elsewhere by an equivalent amount.

But what happens if the offset contained in one amendment has already been zeroed out by another? That Member would no longer be able to offer his or her amendment, and the deadline having come and gone before the start of debate, there would be no opportunity to redraft the amendment with a different offset.

What's more, Madam Speaker, there are many logistical issues beyond

Members' control that can prevent them from getting their amendments properly submitted prior to this artificial deadline. Legislative Counsel, faced with a deluge of requests as Members scramble to get their amendments drafted and submitted, can be too swamped to handle every request. Likewise for the Government Printing Office. This is a self-compounding problem, Madam Speaker, as Members submit multiple versions of the same amendment, just in case their offsets of course are altered by another Member's amendment. It compounds the problem.

All of these problems inherent to the preprinting requirement have the effect of limiting debate and the ability of rank-and-file Members of both political parties, again, Democrats and Republicans, from being able to fully participate in the appropriations process; and yet it was imposed at the very outset this year before we had begun consideration of one appropriations bill.

Now, that was only the beginning. As we started the already restricted debate on our very first appropriations bill, we got to exactly page 2, line 7 before the chairman of the Appropriations Committee had had enough. One page, seven lines was apparently his capacity for even a partially, even though it was limited, a partially open debate.

So he promptly shut down the entire process. We returned to the Rules Committee late that night where the Democratic majority imposed a structured rule for the consideration of the bill. They decided that they alone would be the arbiters on which issues could be debated, which amendments would see the light of day. They were saying 220 years of history be damned. This closed process has been repeated for every single appropriations bill that we have considered.

And for those, Madam Speaker, who have followed the debate here, our colleagues know that we have just completed 11 of those 12 appropriations bills and have only one remaining next week. I will make my commitment that, as has been the case for every single one of them, we will try to make an open rule in order upstairs in the Rules Committee on this.

As I say, with one remaining appropriations bill, we know that it will most likely be considered under a highly restrictive rule that shuns the traditionally open debate with which we have handled our constitutionally mandated power of the purse.

I believe that it is no accident that the abandonment of open debate on our appropriations bills has coincided with the most profligate spending in our Nation's history. It's no coincidence that our deficit has exceeded that \$1 trillion mark just halfway through the year at the same time that the Democratic majority has shut out meaningful debate on their spending practices.

As disastrous as the consequences of this reckless and unchecked spending

spree will be, I fear that even greater damage will come as a result of the utter disregard for the traditions and precedents of this great body. Looking back at that historic debate on the Bill of Rights 220 years ago this summer, it's so instructive because it illustrates just how far we have digressed from the high-minded example that James Madison laid out for us.

The civility, the respect for opposing views, the intellectually rigorous and open debate, the deep belief in the importance of building consensus, all of these elements, Madam Speaker, all of these elements that characterized the debate led by Congressman James Madison 220 years ago have been gradually hollowed out, leaving us with little more than empty, partisan rhetoric.

Perhaps most troubling of all is how quickly this has become, and it really saddens me to say this, the new normal. More than a quarter of this entire body has served less than two terms. For over 25 percent of the House of Representatives, limited debate and bills written in the dead of night appear to be standard operating procedure. A closed appropriations process is just the normal way of doing business. Rancorous debate and demagoguery is simply the way we operate now.

If we do not urgently consider our history and our traditions as an institution, if we do not make an effort to come together very soon and work to restore civility and open debate, these traditions will be lost forever.

Of course there will always be significant divergence of opinions. We were meant to have a great clash of ideas here in the Congress. Our Founders very intentionally designed a system in which we would hold ourselves accountable by this very divergence.

Benjamin Franklin wrote very famously in 1789, "A plural legislature is as necessary to good government as a single executive. It is not enough that your legislature should be numerous; it should also be divided." Franklin went on to say, "Numbers alone are not a sufficient barrier against the impulses of passion, the combination of interest, the intrigues of faction, the haste of folly, or the spirit of encroachment. One division should watch over and control the other, supply its wants, correct its blunders, and cross its designs, should they be criminal or erroneous."

Madam Speaker, we certainly have seen a great deal in recent weeks of the haste of folly and spirit of encroachment that Franklin spoke of.

When debate is stifled, these checks and balances that the Founders envisaged are drastically diminished, and the result is both a poisonous atmosphere and, sadly, reckless public policy. In fact, the latter inevitably follows the former. A bad process begets bad legislation. And the respect, civility and comity that used to govern this body are destroyed in the process.

Madam Speaker, my fear is that irreversible damage has already been done.

But I'm standing here today to remember history. By remembering history, by honoring our tradition, by looking back to our Founders and the example that they gave us 220 years ago this summer with that rigorous, open debate, I believe we can begin to restore our institution. We can once again engage in great debates, in a clash of ideas, and do so with respect for our adversaries and a sincere desire to ultimately reach consensus.

This is the model, this is the model that James Madison presented in one of the most important debates in Congress' history. The great challenges we face today are no less deserving of this kind of debate.

If we are going to effectively and appropriately deal with the economic, energy, health care, environmental, national security and other issues that are before us, we must immediately reverse the very dangerous course on which we have embarked.

Madam Speaker, I urge the Democratic leadership to restore deliberation in this body. This body is known as the greatest deliberative body known to man; and, sadly, we are losing that. I urge my colleagues on both sides of the aisle to once again engage in exchanges characterized by what Madison described as the "principles of amity and moderation," to once again act the part, act the part as Madison said on June 8, 1789, act the part of wise and liberal men.

We must do this, Madam Speaker, if we are going to successfully address the great challenges of our day.

ISSUES IMPORTANT TO AMERICANS

The SPEAKER pro tempore (Mrs. KIRKPATRICK of Arizona). Under the Speaker's announced policy of January 6, 2009, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for 60 minutes.

Mr. HOEKSTRA. I thank the Speaker for the opportunity to talk about issues that I think are not only important to my congressional district, are not only important to the State of Michigan, but are also important to the people of the country.

I was struck this morning when one of the first newspapers that I saw said: "Democrats Out of Sync." I didn't read the article because what really caught my attention was the headline at the bottom that said: "Michigan Lawmakers look to Gitmo for Stimulus."

□ 1615

Now this is a story that has been out there now for a couple of months, but it looks like my colleagues on the other side of the aisle again believe that the stimulus package for the State of Michigan should be moving the people from Guantanamo—the radical jihadists, the individuals who are identified as being members of al Qaeda, some of whom have been identified as members of al Qaeda—and say-

ing we ought to move these individuals to the State of Michigan. This is our economic stimulus package.

Now I understand why they believe that Michigan needs help. As I take a look through my counties, I see unemployment rates of 10.9 percent, 13 percent, 12.5 percent, 19.1 percent. Roughly one out of every five people are out of work in at least two of my counties. You have 16.8, 15.3, 16.7. Those are the counties that I represent. And, as a State, we have an unemployment rate that is now 15.2 percent, which I expect will again be the highest unemployment rate in the country.

But believing that Michigan's stimulus package and the way that we are going to rebuild the State of Michigan is by opening Gitmo North, I think is a terrible idea. I'm the ranking member of the Intelligence Committee. I've had the opportunity also to serve as the chairman of that committee. And we get some special insights into who these folks really are and what the impact of having these people in your community may be.

I have no doubt that we can move these folks into a prison in Michigan. We can move them into a maximum security perhaps anywhere around the country. There's no doubt in my mind that we could probably contain them and hold them and they wouldn't escape. But there is a reason that they are in Guantanamo.

Guantanamo is a difficult place to get to. We have constructed a facility specifically to match the needs and the challenges of the prisoners that are held in Guantanamo. And those facilities don't exist in other parts of the country.

The other reason that we have them there is we recognize that by the very fact of putting them in the United States and putting them into a community, they present an increased threat to those communities, to the people that work in those facilities, and to the region itself.

This is a really bad idea. To my colleagues from the Michigan delegation, let's not do this. Let's not promote this. Let's make sure that we keep Guantanamo open, and let's make sure that we don't move these people to Michigan, and let's make sure that we don't move them to other parts of the United States. Keep them in Gitmo and let's make sure that we deal with this threat in the most appropriate way.

I also found it interesting that as we talk about economic development—you know, we've got a model for economic development. We did it in the 1990s. We did it with a Republican Congress, and we did it with a Democrat President. It began in January of 1995.

It was relatively straightforward. We are going to cut taxes, we are going to reform government, and we are going to freeze spending.

The end result is that during the 1990s we saw unprecedented economic growth, and we balanced the budget for 4 years in a row. I wish that my colleagues here from Michigan and my

colleagues in the State of Michigan would have recognized that formula. Because instead of cutting taxes, reforming government, and freezing spending, what we are doing in Michigan today is we are increasing business costs by piling on more mandates, and there's no plan to create jobs.

They want to raise the minimum wage to perhaps the highest minimum wage in the country. They want to put more mandates on businesses in Michigan. And we will end up with the most mandates on our businesses for any one State save one, which is California.

Right now, I don't think Michigan really wants to go down the path of California. We've seen what California looks like.

If you want to take a look at the State of Michigan, this is my State. The counties that are in pink have an unemployment rate of between 10 and 15 percent. The darker purple, that is 15 to 20 percent. And we now have two counties now where the unemployment rate is over 20 percent. More than one out of every five workers.

And the response from the other side of the aisle and from Democrats in the State of Michigan is to open Guantanamo North, put more mandates on businesses, and provide no incentives for economic growth in the State of Michigan.

Michigan is a whole lot better than that. We could cut taxes, we could reform government programs, and we could freeze spending, and we could become a model and an engine for economic growth. Michigan has tremendous strengths that we could build off of.

Sure, there's a lot of focus as to exactly what's happening with the automobile industry today, but think about the people that have lost their jobs in the automotive industry—the skills, the talents that they have that can be applied to other industries and other opportunities. It's happening each and every day.

I have a situation in my congressional district right now where the people coming out of the automotive industry have developed some very innovative products for alternative energy. They have been ideated in Michigan—the ideas came out of Michigan. They have been created, they have been engineered, and developed in the State of Michigan.

A relatively small number of jobs, but as this particular product is now moving into production, which is where the real jobs are and where Michigan has a tremendous number of strengths in terms of manufacturing skills and manufacturing facility, it appears that those jobs will go to some other State. Not some other country. They're not going offshore. They will go to some other State that has created a more inviting environment for job creation and business investment than the State of Michigan, even though we have got all of those manufacturing skills and all of those talented manufacturing people.

We can build things in the United States. It appears that right now we just can't build them in the State of Michigan because we have put up too many barriers to job creation in the State of Michigan.

We're also doing some of that same thing here in Washington that sometime in the future may force those types of jobs offshore.

What kind of things am I talking about? Well, if the model is to freeze spending and to cut taxes, what are we doing in Washington, D.C.? Well, we're spending. We're spending much more than we have ever spent before.

When President Clinton came into office and we were in a recession, he proposed, I believe, an economic stimulus of around \$25 billion to \$40 billion, primarily on infrastructure. When this President came into office, he too proposed a stimulus package. \$787 billion. \$787 billion, which is starting to slowly work its way through the system but is having very, very little impact because of the types of things that it is being used for. It's not being used significantly for long-term infrastructure investment.

If you were looking at the State of Michigan, where could we be building or what could we be building, and what could we be using those dollars for? For real stimulus, meaning we would be building infrastructure that our kids would benefit from.

We need a new train tunnel between Windsor and Detroit. Sounds like a good idea to build that tunnel with stimulus dollars. It is a long-term investment. Right now, Detroit and Michigan, we are the main link between Ontario and the United States. That traffic comes through the State of Michigan. Goes through that tunnel that we currently have.

The problem is, if you take a look at the trains coming through, the trains coming through the tunnel, they're stacked too high with the containers. They get to the tunnel, they've got to take the top one off, set it aside, take the train through, put the container on another carrier, take it underneath the river. When they get to the other side of the river, they put the container back on.

It's not a very efficient way to move goods from Canada into the United States. We need a new train tunnel. Build a new train tunnel that will accommodate a double-decker to make sure that Michigan and the Midwest stay competitive, because we have got an efficient transportation corridor.

We need a new bridge between Detroit and Windsor. Build a new bridge. It will last a long time. We have a lot of minerals that we take out of the UP, that we take out of Minnesota, that go through Lake Superior and go down to the lower Great Lakes. We need a new Soo Lock.

If we're worried about stimulus, and we're going to have Federal stimulus dollars being spent, let's use it on things that make a real difference and

will provide us a competitive advantage and strengthen our economy and will benefit our kids and our grandkids, rather than spending it on projects that don't have much of a long-term benefit.

What are some of the things that we're going to be building in Michigan with our stimulus dollars? \$500,000 to renovate a facility which may house yoga or children's movement classes. \$6.9 million to put in 29 intelligent transportation system signs in four west Michigan counties. I'm assuming that these big electronic signs will be put up to warn the motorists about the potholes that are ahead because we're building signs instead of repairing the roads.

We're going to be spending \$983,000 dollars for streetscaping. We're going to be spending \$1.3 million for construction of a wastewater treatment plant for which there may be no plan and little community support.

Of course, every time, whether you're in Michigan or in some other State around the country, you're going to see these wonderful signs that say: This project was brought to you by the stimulus package.

These signs cost anywhere from \$300 to \$1,000 apiece. They don't fill one pothole, they don't pave 1 increment of road. Yet, we're spending on those to remind you that your money that came to Washington, D.C.—actually, the money that Washington, D.C., is borrowing for the stimulus package, you ought to thank us for borrowing this money, so we put up the sign to remind you where it came from.

But we don't say: This road or this project is brought to you by your kids and your grandkids. We seem to think that it's brought to you by your Congress, and you should be thankful for the stuff that we've done.

We've just approached and gone over a trillion dollars of deficit spending for this fiscal year—and the fiscal year doesn't end until September 30. So we've still got July, August, and September to go, and there are many that are saying the deficit for this fiscal year will probably exceed \$1.5 trillion. That is something that our kids will not be thankful for, and it's something that they will carry long into their future.

But in addition to that kind of spending—again, if the model is cut taxes, freeze spending, and reform government, where are we headed today in Washington, D.C., in regards to cutting taxes? We are not going to cut taxes. We are actually going to increase taxes on the American people.

It is estimated by some accounts that the cap-and-trade, the cap-and-tax bill that we passed through this Chamber a few weeks ago is going to cost the average American family about \$3,100 per year.

Now you may not see this as a tax bill that you will have to write a check to the Federal Government for, but what you will see in it is increased cost

for electricity, for gasoline, and any other product that, when you consume it, has a carbon emission. It's a carbon tax. And so you will see the cost of goods, the cost of services increase for every American family.

□ 1630

It will also make it more difficult for American businesses to compete, to invest and to grow our economy. Again, in Michigan we are a heavy manufacturing State. What does cap-and-trade do to the State of Michigan? What does it do to the Midwest? It hammers the Midwest. We have a lot of coal-fired plants. They do have carbon emissions. They will be heavily taxed, heavily regulated; and the cost of producing energy out of those plants will increase significantly. I've got a lot of foundries in my district. What do foundries do? They melt steel. They melt aluminum. They pour them in a mold. They wait for them to cool. They take the mold out, and you've got a piece of metal that has been molded and shaped and then will be machined. It will become part of a car, or it will become part of another product. That consumes a tremendous amount of energy. What do we think will happen to that business if cap-and-trade becomes the law of the land and that business sees its energy costs go up by 50 to 70 percent? Remember, this is a large input cost to this business. It's a cost of production. They will start looking for alternatives. And where will those alternatives be? Will they be someplace else in the United States? Probably not because these facilities and the similar facilities in the United States will all be experiencing these kinds of cost increases. Where will they begin looking? They will begin looking in places like China. They will begin looking in places like India and Mexico, the countries that do not have these types of regulatory burdens placed on them. So again, it is an indirect tax on jobs and businesses; and the result will be that more and more counties in my State and more and more counties around the country will start changing these pink counties from being pink to being purple, meaning that the unemployment rate is going to continue to increase. We see it both at the State level and at the Federal level.

The model that my counterparts on the other side are using to—in their belief—grow the economy is to increase taxes, to grow spending and, really, to reform nothing. I'll give you one example of where we're not seeing a lot of effective reform. There's a couple of things that you ought to know about this chart. Number one, the Speaker of the House and counterparts on the other side have said, This chart is unapproved for public use. Actually, it's unapproved for us to send to our constituents under the franking process. So if someone calls my office, and they say, Congressman HOEKSTRA, we'd like a better understanding of how this new health care proposal is going to work

or what the structure is going to be for that new plan—that's another new tax that's coming as well. But as the President proposed and as my colleagues on the other side of the aisle proposed a new plan for health care, what does that system exactly look like? I don't know if this chart is right, but we had some really bright people come together and read the thousand pages of rules and regulations of the new health care bill. As they read it, they tried to put an organizational structure to it to say, Here's how it's going to work. This is the process, and these are the different kinds of organizations that are going to be necessary or are identified by name in the legislation. This is it. At least this is what they thought it looked like, as they put the pieces together and how the different pieces of this related to each other. This is the organization that will stand between my constituents and their doctors. This is the organization that will say, If you're sick and you want to go to a doctor or you want to go to a hospital, this is the organization that will decide whether that is permissible and then what the doctor may or may not be able to do. At least this is our understanding. But the franking board, the organization that determines whether we can make copies of this and send this out to our constituents, has decided that this is inappropriate to send to our constituents because they say it's inaccurate. So now the Democrats here in the House are starting to control what Members of Congress can send back to their constituents when their constituents ask for information. The interesting thing is, as we talk about this, we may ask and say, Well, if this chart isn't right, could you lay out for us the chart that is more accurate and the chart that you would use to explain to your constituents exactly how this process would work? We are still waiting for that chart.

The other thing that we found out that was kind of interesting is that it appears that the Speaker's Office has determined that it is inappropriate to say "government-run health care." So even though we're putting an organization in place like this to manage the health care system in America, something that the Congressional Budget Office says will add about \$1 trillion to our debt over the next 10 years, even though we're creating all of these different agencies, it is inappropriate to tell our constituents that this is government-run health care and that we cannot use those words to describe this system to our constituents. So rather than reforming government, what we are doing is we are growing government. We are growing this bureaucracy in health care. We are also growing this bureaucracy in the energy area. So we are seeing a massive expansion of the role of government and an erosion of freedom for American citizens today. The model is, cut taxes, reform government and freeze spending. Whether you are in the State of Michi-

gan and perhaps many other States around the country or you are in Washington, D.C., if you're asking, Where are the jobs and why is there not any economic recovery?, the answer becomes fairly clear. We've got the wrong model in place because rather than cutting taxes, we are going to be increasing taxes. Whether it's in cap-and-trade, whether it's in health care or whether it is allowing many of the tax cuts that were implemented in the previous administration to expire, we are going to grow taxes rather than reforming government. We are going to grow government. And rather than freezing spending, we are going to increase spending. We're going in exactly the wrong direction for economic growth. The model that you are seeing here in Washington—and I remember a couple of months after the election, President-elect Obama was sitting at a conference in Chicago and had a lot of his economic advisers and a lot of his future cabinet with him. They were talking about what to do with the economy. I saw that the governor of Michigan was sitting next to the President. I thought part of the reason for this would be for the President to learn from our governor about some of the things that we had tried in Michigan that clearly hadn't worked. That increasing taxes had not grown Michigan's economy, that it had been detrimental to our economy; that more regulations and more bureaucracy had been detrimental to our economy; that increasing the size and the scope of Michigan's government had been bad for our economy and bad for job creation; that the President would be able to understand that and say, Maybe we ought to take a different look at what we're going to be doing in Washington. But he has followed the same formula of increasing taxes, forgetting to reform government and increasing spending. In each of these cases, as we move through that direction, as we move down that path, when we grow taxes, who gets more control of America's future, and who loses freedom? When we grow taxes, it means that America's families, America's individuals and America's businesses, they lose control, and they lose freedom. When we grow government, when we put this system between you and your doctor, who gets control and who loses freedom? This system guarantees that control moves to the Federal Government. Who loses freedom? America's families, America's individuals, and America's businesses.

So when we grow taxes, who loses freedom? The American people do. When we grow government, who loses freedom and who gains control? America's people lose freedom. The government gains control. When we grow spending, who gets control? The Federal Government. Who loses freedom? The American people. Which means that a lot of this debate now in Washington, D.C., is about control and it is about freedom.

Let me give you a couple of examples. This week the President announced a new education program, \$4 billion, one more education program. We counted all the education programs that were out there a few years ago, and we came up with a number of 659 different education programs, and now we've got one more. In other parts of this education bill, I agree with the themes and the objectives. It says, We've got to open up our education system to more K-12 systems and to more charter schools. It's kind of like, Yes, I like charter schools. I think they work. But then this is how the Federal Government's saying, If you want a piece of the action, if you want some of this \$4 billion, these are the things that you're going to have to do to compete for those \$4 billion. Charter schools may be appropriate for Michigan; but they may not be appropriate for another State. So why's the Federal Government saying that with charter schools, that is now the way it's going to be nationally, and we're going to take your money to incent you to do things that the Federal Government wants to you do? Who loses control, and who loses freedom? The Federal Government gets control, using your money to bribe you to do things they want you to do that may or may not be appropriate for your State or your community. Who loses control? Local schools, local families and the States.

Of course the most massive expansion and best example of this in education is the passage of No Child Left Behind in 2001. The goal is a goal that I think every American agrees with, no child left behind. Every child is a unique gift to us. It's our responsibility. As a parent, it's my responsibility to try to do everything that I can to raise up that child and to make sure that that child is given the background, the values, and the education necessary that will enable them to have a fruitful and productive life. I want that responsibility as a parent. I want the freedom to raise my child. What does No Child Left Behind do? No Child Left Behind says, we're going to move responsibility for K-12 education. We're not going to move it from a parent and a family to the local school board, to the State. It says, Man, we're going to grab K-12 education, and we are going to move it not only from the local community; but from there, we're going to move it all the way to the Department of Education. Who gets control? Who now has control of your local schools? We send to your local school about 10 to 12, maybe 15 percent of the money that they spend every year. The majority of that money is raised at the State or the local level. But ask your teachers and ask your superintendents as to who is controlling what is going on in your local school. They'll tell you very clearly and very quickly. They'll say, It's that bureaucracy in Washington, D.C. It's called the Department of Education.

When I chaired the Oversight Committee on the Education and Workforce

Committee and had the opportunity to have oversight over the Department of Education, I always had a great time. Me and a colleague, we would walk over to the Department of Education. We would just walk in. We'd walk into some offices, and people would look at us and say, Who are you? And we would say, "Well, I am Congressman Hoekstra, and this is Congressman Schaffer, and we're here to help." To help, we'd really like to understand what you do and how you help my kids in my local schools. So you kind of say, This is my congressional district. Here is Ludington, Michigan, and I am very concerned about what is happening with the schools in Detroit. There are some rural school districts up here. But this is my congressional district. Can you tell me if there's anybody from Ludington, Michigan, that works here in the Department of Education who might understand the needs of Ludington, Michigan? What about Pentwater? What about Muskegon? What about Holland? What about Zeeland? What about Jenison? I couldn't find anybody from west Michigan at the Department of Education. Then you'd say, Well, if we really don't have anybody there from west Michigan—it was even hard to find people from Michigan. As we went through, we would say, Do you guys know where these towns are? Do you know the differences in the needs of schools in Ludington versus the kids and the challenges and the opportunities that we have in Baldwin or Cadillac or Sparta? Do you understand that? These are just names to them. They're just little pushpins on a map to these folks. They don't know the differences and the unique characteristics of each of these communities. Then you would ask them and say, You know, all of my school districts in the State, they prepare a mountain of paperwork that they send to this place in Washington, to the Department of Education. Can you tell me where this paperwork comes in and to what office it goes to?

□ 1645

They said, Well, you know, not really. Who reads this stuff? And does anybody ever read it and then send a letter back to the kids at Muskegon or the superintendent at Muskegon Heights and say, We've read your material, we've analyzed it, and here are some ideas as to how you may improve your schools?

But at the same time that these folks in Washington really don't understand the kids or the communities that they are managing, they have a tremendous amount of control over what goes on in these schools. And how do you know?

Every year now, what does this Department of Education, in conjunction, or mandated through the States do? Think about it. You have a Department of Education here in Washington that is dictating the standards that identify whether your school is a good school—and they don't call it a "not so

good school" or a "school in need of improvement." What do they call it? They call it a "failing school."

You have the Department of Education telling you whether your school is a good school or a failing school. They'll tell you the same thing about your teachers. We put in all kinds of mandates. And I spend a lot of time going through these schools and talking to these different classrooms, and after we passed No Child Left Behind, I started going back to some of the schools that I had been at, and they'd bring in the kids and the government teacher would come in.

And I said, Well, what happened to Mr. Smith? Well, Mr. Smith wasn't a highly qualified teacher. He didn't meet the requirements that some bureaucrat in Washington said you needed to have to teach government under No Child Left Behind, so he retired or he or she is not teaching government anymore. And I said, Wow, I didn't know that they didn't have necessarily all the class background. They've got a teaching degree and all of those types of things.

But these persons, really, when I had been there before, they appeared to have a genuine passion for the kids. They understood the subject matter. They must have found out about it some way, and they appeared to be doing a really good job with the kids when I was there. But now what you find out is that because they didn't check every box on a form that came out of Washington, D.C., they no longer could teach the subject that they loved, and perhaps they had taught for 10 or 15 years.

Control came to Washington, D.C., and parents and local school boards lost the freedom to run their schools the way that they felt was most appropriate for their kids and would give them the best learning. And we now have a school system that, across the United States, is getting to look a lot more bureaucratic rather than innovating and being creative as we're moving forward.

I'll give you another example as to where States lose freedom. Think about it. Every time you go to your local gas pump, a good portion, 10 to 15 percent of the price that you pay comes to Washington, D.C. In the history of the transportation bill, a State like Michigan has gotten, historically we have gotten 83 cents of the dollar back. So for every dollar that we send to Washington, D.C., under the highway trust fund, we have gotten 83 cents back. That's not a very good return. It may be one of the reasons we don't have the greatest roads.

There are other people around the country who ought to be thanking Michigan because Michigan dollars are paving their roads. But the interesting thing is, when this money comes back, when the money comes back to Michigan, it comes back with a lot of strings and mandates attached to it saying, You are going to build these signs that may be expensive.

In the northern part of my district, a few years ago they were going to build a turtle fence along the expressway. It goes through a wetlands area maybe a mile, mile and a half long, and we found out about it and said, We are not going to build a turtle fence. And so we were effective in the delaying of that turtle fence for about a year. We came back a year, a year and a half later and saw that there was construction going on along the road there. And we said, Man, they are going to build this turtle fence.

For those people who don't know what a turtle fence is, you don't need to have much of an imagination. A turtle fence is a fence that you put alongside the highway to make sure that turtles don't cross the road. And that's really good for the turtles, except when you build the turtle fence and you build it along the river so a turtle can't sneak into the river, swim under the bridge and then get into the median by getting up on the bank there. They put the turtle fence there so all they can do is get in the river, swim under both bridges and then get up on the other side of the other fence. For the turtles that are on the outside of the fence, they are really thrilled about this fence because they can't get hit by a car again. But I have gotten a significant number of complaints. The turtles inside of the fence are really unhappy because the only place that they can hang out is in the median or on the roadway, and they can't get back to the road.

But the bottom line here is, I talked with the Governor about this, and she said, Pete, let's not get into an argument about the turtle fence. I'm just telling you that the Federal Government, that money came in a funnel. We had to use it for road beautification or enhancement projects, meaning we had to build things like turtle fences.

Well, for those of us that live in the State of Michigan, we have a lot of potholes, and a turtle fence was not a priority for us. But it was \$318,000 for the turtle fence. Before that, we had spent about \$80,000 to \$90,000, I believe, doing a study as to whether a turtle fence was absolutely essential.

In Florida, they have done us one better. They have not only built the turtle fence, but they have also built turtle tunnels. They now have tunnels under the roadway so that the turtles can go and get from one side of the road to the other side of the road, and they go through tunnels. I'm not sure whether they have built turtle tunnels as well as alligator tunnels, because they don't want both of them in the same tunnel. That, again, is a bad place for the turtles to be.

In Michigan we have been forced to spend about \$400,000 on a turtle fence. We also have a rest area. It looked like a perfectly good rest area to me, but we ended up tearing down the rest area, and we ended up building a new rest area for about \$3.6 million. And remember that this is the State where we

have the eighth worst road system based on overall performance in the country.

The \$400,000 for the turtle fence and the \$3.6 million for the rest area we could have spent on other things and invested that on the things that we really need those transportation dollars for, and that is to repair our roads, to build bypasses, and to build new on and off ramps so that we can facilitate the movement of goods and services throughout our State so that we would enhance our ability to compete, not only in the United States but on a global basis to enhance our transportation system.

Again, when we send that money to Washington, when we send that dollar to Washington, Washington gets control, and Washington uses its control by saying, Michigan, you're sending a buck here, and we're only going to send you, over the life of the program, we have only sent you 83 cents back. We've got that improved now. I think this year we're going to get 93 cents back. Still it's not good enough.

But Washington says, We're going to exercise control by taking some of your money and siphoning it off and giving it to other States, and then when you get the money, we're going to force you to spend that money on things that you otherwise perhaps would not have wanted to do.

And what does Washington, D.C., what does the Department of Transportation know about whether we ought to be building a turtle fence, a rest area, or investing it in basic infrastructure? Those are the decisions that should be made and could be made at the State level. Again, Washington exercising its control, the residents and the citizens of Michigan losing the freedom to set their own destination and to set their own priorities.

The same thing happens with all kinds of other spending. It comes here to Washington, D.C., it goes back to the States, but it comes back with all kinds of strings attached to it.

Michigan's budget is about a \$44 billion budget. I think it's roughly two-thirds, somewhere between two-thirds and three-quarters of that budget comes back to the State with strings attached to it by the Federal Government, and "strings" means control by the Federal Government and it means a loss of freedom for the people in the State of Michigan.

There is one other area that is a very, very different area. Let me just change focus for a minute here. But before I do that, let me just reinforce, what we are talking about here, if we want to get back to economic growth, what we need to do is we need to move in a direction of cutting taxes, reforming government, and freezing spending. We need to empower individuals. We need to empower families and businesses, the job creators and the movers in our economy, and take control away from Washington, D.C. and devolve it back to States, local governments and

individuals. That is how we will get economic growth; not by raising taxes, not by growing government, and not by increasing spending.

The thing that I wanted to talk a little bit about is one other area of freedom. A year and a half ago, a friend of mine came to me and said, Pete, we need to do a constitutional amendment. I'm very cautious about amending the Constitution. I think that's something we ought to take very, very seriously. And he said, I've got an idea that we need to do a parental rights constitutional amendment. And I said, Parental rights? What are we doing with parental rights?

The parental rights constitutional amendment is very simple. It is less than 50 words, and it basically says that parents have the right to raise and educate their kids or lead in the direction of raising and educating their kids. The government has the responsibility to step in if there are cases of abuse or neglect with the children, and the third part is that this constitutional amendment takes precedence over any treaty.

You ask, Well, why would we need to do that? We understand that, and it is clear. That is an implied right in our Constitution, meaning, if you read the Constitution, most people would say, Yeah, we understand that to be true, that parents have the right and the responsibility to raise and educate their kids. But what we have found so often in the last 40 to 50 years is that the things we took for granted slowly eroded and changed and got to a point where we didn't expect that it would ever go.

Fifty or 60 years ago, if people had said, We need an amendment to protect an unborn child, people would have said, People understand that that is a life. Obviously, we found out that that is not true. We have moved to a different place. Twenty or 25 years ago, if someone would have said, we need to define "marriage" and put a definition of "marriage" into the law or into the Constitution, people would have said, everybody knows what that is. And we have now found out that no, we have broad disagreements as to exactly what that is.

That's why we are doing this parental rights amendment, where we understand that it is an implied right, that parents have the right to raise and educate their kids. But what we are now seeing is that that right is starting to be eroded. It is being eroded by our courts. It is being eroded by what we are doing here in Congress and those types of things. So what we want to do is take this implied right and make it an explicit right in the Constitution, just like the Bill of Rights, which guaranteed explicitly what the rights and privileges were, the right to free speech, the right to practice religion, the right to bear arms and those types of things.

The spirit of this amendment is to explicitly put into the Constitution the

right of parents to raise, educate, and direct the upbringing of their children, because that right is being eroded and being questioned and challenged in the courts and in this building each and every day.

The third piece here is, why put in that it takes precedence over any treaty? Well, under the U.S. Constitution, loosely interpreted by a marketing guy and not an attorney, under the Constitution, if the United States signs a treaty, the treaty takes precedence over the Constitution unless it is expressly stated in either the treaty or in the Constitution what takes precedence. And right now, moving through the U.N., and the President has said we ought to ratify this treaty; the Secretary of State has said that it is a disgrace that we have not yet signed this treaty or ratified this treaty.

□ 1700

And BARBARA BOXER, a colleague in the Senate, has said that she is going to make it a priority of hers to move this through her committee and bring to the Senate. And this is the treaty on the U.N. Convention on the Rights of a Child. And if this were ratified by the United States Senate, it would totally change the relationship and set in place a framework to alter the relationship between a parent and their child, and put the government in a potentially critical role in directing the upbringing of our kids.

Probably another bureaucracy just like this bureaucracy that is going to potentially get between you and your doctor, you could very easily envision this kind of bureaucracy getting between you and your children. And that's why we've done that amendment.

And finally, let me bring up an issue that we're working through right now in the Intelligence Committee. Earlier this year, the Speaker of the House indicated and made a statement along the lines of, I believe that, loosely stated, that the CIA lies. They lie all the time. More recently, the chairman of the Intelligence Committee has made a similar statement, that the CIA lies and lies consistently. Seven members of the Intelligence Committee have written to the Director of the CIA asking him to retract some statements that he made back in May about the CIA and the honorable men and women in the CIA and their service and their intent to always fully brief Congress and to be truthful in their testimony to Congress.

And these seven members said that he should retract that statement and, basically, implied that they believe that he had now misled the Congress and the Intelligence Committee. And remember, this is all Democrats, the Speaker saying, the CIA, this CIA lies, now under the direction of Leon Panetta, a former Democrat Member of this House. The seven Democratic members of the Intelligence Committee saying that Leon Panetta, a

former Democrat Member of this House may have lied to the committee, the President of the United States, as we were considering, or we were hoping to bring an intelligence bill to the floor for a debate, the President coming back and saying that he—putting a veto threat on that bill because of the language that was in that bill.

But the bottom line is that, as we've gone through this process, and coming out of this briefing where Director Panetta had briefed us, some of my colleagues on the committee have now said, well, we're going to bring in the Vice President. We need to bring in Vice President Cheney, and we have to investigate a program that was very clearly stated yesterday in USA Today. They want to investigate a program that they never told Congress about, that never happened, meaning they planned it and they did some work on it, but they never executed the program.

And so, it's kind of like, what's going on here? The program, sure there was some planning done on it. There might have been some training dollars that were expended on it. Yeah, you're right; they didn't brief Congress, but they never did the program. And then USA Today said, you know, and guess what? This was in the immediate aftermath of 9/11, and it's alleged that the program and the deliberations within the CIA were about how to disrupt, contain, and perhaps, kill the leadership of al Qaeda.

And you kind of step back and think, you would think that our national security apparatus in the months after 9/11, in the years after 9/11, that they would have been considering different ways to contain, disrupt or to kill the leaders of al Qaeda. And, in reality, according to press reports, much of that has happened over the last 8 years, guess what? In many of these cases, the American people are very grateful that we've disrupted al Qaeda, that they've not been able to carry out another attack against the United States.

And according to press reports, in the last few months, one of the top leaders of al Qaeda, one of Bin Laden's sons may have been killed in an attack. But he's part of the leadership that still wants to attack U.S. troops in Afghanistan, to kill our troops in Afghanistan and, if possible, to attack the United States again.

But it's just amazing to me that you have the men and women of the CIA who have been aggressively going after the threats and the enemies of the United States, and they've done it successfully for 8 years. We haven't been attacked again. And the thanks that they get now from this administration and the leadership of this Congress is that they are called liars and they're called liars repeatedly, and they are now being threatened by the Attorney General that they are going to be investigated and they may be prosecuted. That's the wrong way to go.

These are all points that were raised in the editorial yesterday in USA

Today, saying it's wrong to go down this path because, number one, there's nothing there to be investigated. What it appears that some want to do, what it appears they want to do is they want to move and they want to focus back on the previous administration. And what we need to be doing is we need to be looking forward. The threats to America are real. We need to be focused on containing and defeating the threats that we face as a country today, and we need a strong intelligence community and a strong military to make that happen, and we need to demonstrate to the men and women of the intelligence community and in the armed services that we stand behind them.

And sure we recognize that they may make mistakes. They will recognize that, and that when they do, they will be held accountable. But when they do the job that we have asked them to do, when they do the job that we have funded them to do, it is amazing to me that many of the programs that are now being criticized that have kept us safe are the same programs that many of the Members of this House knew about, they supported them, they funded them, and they asked the intelligence community to carry them forward and to do them.

They are now criticizing the intelligence community for—they are calling them liars, and they're saying, we may prosecute you. And the bottom line, as it was pointed out in the USA Today editorial, is they are destroying the morale within the intelligence community. These are people who risk their lives to keep America safe, and they're saying, this is the thanks that we are getting from America's elected political leadership for the risks that we have taken and for the results that we have gotten. It is just plain wrong for us to be doing this to the men and women of the intelligence community.

And, like the USA Today, I think the message has to be very simply: Stop. Stop. There's not any evidence that you need to go down the path that you're going down, and all you're going to do is hurt the community that has kept America safe. America has great strengths. We've got great people in the State of Michigan. Yes, we are struggling, but Michigan is going to come back because we've got great people. We've got great resources. We have got the opportunity to rebuild the State, we've got the opportunity to rebuild this country, but the solutions for rebuilding America and rebuilding Michigan are not going to come from Washington, D.C.

They are not going to come from Lansing. They are going to come from Washington, D.C. and Lansing giving up control and giving more freedom back to the people of America, to the people of Michigan, to let them get some of their sovereignty back, let them get some of the freedom back and to free them from some of the burdensome mandates, rules and regulations.

We do that by cutting their taxes, by reforming government, allowing for innovation and creativity at a grassroots level, at a local level and by freezing spending here in Washington.

I think, with the mad dash that we've done here in Washington on spending, we ought to be looking at cutting spending here in Washington and shrinking the size of this government and unleashing the potential of America's people and Michigan's citizens to rebuild our State and rebuild this country. Give them the freedom, give them the freedom to grow their business, to start a business, to hire a few more people, to try things, the freedom to grow a business, the freedom to fail, and the freedom to be successful, the freedom to succeed in a dream that they may have.

Michigan was built on the creativity and the innovation and the ingenuity of a whole range of people over generations. Michigan's future was never built or created by a government in Lansing or a government in Washington, D.C. We need to reform this government here in Washington. We need to cut taxes. We need to reform government and we need to reduce spending.

And when we start setting up the tone here in Washington and start moving that money back, and just think, if we could get 5 or 10 percent efficiency of the money that goes back to the States, a lot of our States wouldn't be facing the financial challenges that they face today. They'd have more money coming in. And if they experienced and implemented the same kinds of practices of cutting taxes, lowering spending and getting rid of burdensome government programs, we would see a real rebirth at the local level, at the individual level, and at the business level in this country.

We've done the model before. We didn't do enough of it in the 1990s. We need to do it again, and we need to do more of it because only, you know, during the last 8 years and now going into the last 9 years, what we've been doing is we've been growing this beast in Washington. We've been taking control here in Washington and we've been stripping freedom away from people at the local level and moving the control, moving the freedom that they had and been moving the control to Washington, and that's exactly the wrong thing to do.

Madam Speaker, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2632. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day.

The message also announced that the Senate has passed bills of the following

titles in which the concurrence of the House is requested:

S. 151. An act to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

S. 1513. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The message also announced that the Senate agreed to a concurrent resolution of the following title:

S. Con. Res. 35. Concurrent resolution authorizing printing of the pocket version of the United States Constitution.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BLUMENAUER) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. SALAZAR, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, July 31.

Mr. JONES, for 5 minutes, July 31.

Mr. BURTON of Indiana, for 5 minutes, July 27, 28, 29, 30 and 31.

Mr. GOHMERT, for 5 minutes, July 24, 27, 28, 29, 30 and 31.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 151. An act to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes; to the Committee on Natural Resources; in addition, to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. Con. Res. 35. Concurrent resolution authorizing printing of the pocket version of the United States Constitution; to the Committee on House Administration.

ADJOURNMENT

Mr. HOEKSTRA. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p.m.), under its previous order, the

House adjourned until Monday, July 27, 2009, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2805. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Absciscic Acid; Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2009-0189; FRL-8427-3] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2806. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Truth in Lending [Regulation Z; Docket No.: R-1364] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2807. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2808. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8079] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2809. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2810. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2811. A letter from the Regulatory Specialist, LRAD, Department of Treasury, transmitting the Department's final rule — Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital-Residential Mortgage Loans Modified Pursuant to the Making Home Affordable Program; Correcting Amendment [Docket ID: OCC-2009-0007] (RIN: 1557-AD25) received July 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2812. A letter from the General Counsel, National Credit Union Administration, Department of Treasury, transmitting the Department's final rule — Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies Under Section 312 of the Fair and Accurate Credit Transaction Act (RIN: 3084-AA94) received July 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2813. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference [HI-126-NBK; FRL-8916-9] received July 22, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

2814. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Ohio; Volatile Organic Compound Emission Control Measures for Cleveland [EPA-R05-OAR-2008-0812, EPA-R05-OAR-2009-0292; FRL-8932-4] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2815. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina; Transportation Conformity Memorandum of Agreement Update [EPA-R04-OAR-2009-0303 a); FRL-8936-2] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2816. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (St. Paul, Minnesota) [MB Docket No.: 09-71 RM-11533] received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2817. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Smart Grid Policy [Docket No.: PL09-4-000] received July 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2818. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Drug and Alcohol Testing Program; Technical Amendment [Docket No.: FAA-2008-0937; Amendment No. 91-308] (RIN: 2120-AJ37) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2819. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revisions to Digital Flight Data Recorder Regulations for Boeing 737 Airplanes and for All Part 125 Airplanes [Docket No.: FAA-1999-6482; Amendment No. 121-346] (RIN: 2120-AG87) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2820. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revisions to Cockpit Voice Recorder and Digital Flight Data Recorder Regulations [Docket No.: FAA-2005-20245; Amendment No. 23-58, 25-124, 27-43, 29-50, 91-300, 121-338, 125-54, 129-45, and 135-113] (RIN: 2120-AH88) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2821. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Anthropomorphic Test Devices; SID-IIs Side Impact Crash Test Dummy; 5th Percentile Adult Female [Docket No.: NHTSA-2009-0002] (RIN: 2127-AK26) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2822. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2010 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2010 [Docket No.: NHTSA-2009-0061] (RIN: 2127-AK47) received July 22, 2009, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2823. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30674 Amdt. No 3328] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2824. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Coleman, TX [Docket No.: FAA-2008-1139; Airspace Docket No. 08-ASW-23] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2825. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kona, HI [Docket No.: FAA-20029-0002; Airspace Docket No. 09-AWP-1] received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 1121. A bill to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes; with an amendment (Rept. 111-227). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1080. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, and for other purposes; with an amendment (Rept. 111-228). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1376. A bill to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas; with an amendment (Rept. 111-229). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURTHA: Committee on Appropriations. H.R. 3326. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-230). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. House Resolution 591. Resolution requesting that the President transmit to the House of Representatives all information in his possession relating to certain specific communications with and financial assistance provided to General Motors Corporation and Chrysler LLC; with an amendment (Rept. 111-231). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CANTOR (for himself and Mr. WITTMAN):

H.R. 3324. A bill to amend title 10, United States Code, to provide for the payment of

monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mr. TANNER (for himself and Mr. McDERMOTT):

H.R. 3325. A bill to amend title XI of the Social Security Act to reauthorize for 1 year the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself and Mr. POE of Texas):

H.R. 3327. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (for himself, Mr. STARK, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. HONDA, Mr. CROWLEY, and Mr. FILNER):

H.R. 3328. A bill to authorize the Gandhiking Scholarly Exchange Initiative focusing on peace and nonviolence in global conflict resolution, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia (for himself, Mr. STARK, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. HONDA, Mr. CROWLEY, Mr. FILNER, and Ms. BERKLEY):

H.R. 3329. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. DRIEHAUS (for himself, Mr. MOORE of Kansas, Mrs. BIGGERT, and Mr. LEE of New York):

H.R. 3330. A bill to amend the Federal Deposit Insurance Act and the Federal Credit Union Act to provide more effective reviews of losses in the Deposit Insurance Fund and the Share Insurance Fund by the Inspectors General of the several Federal banking agencies and the National Credit Union Administration Board, and for other purposes; to the Committee on Financial Services.

By Mr. CONNOLLY of Virginia (for himself and Mr. GOODLATTE):

H.R. 3331. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to make grants to recognized science and technology secondary schools to support research and development projects at such schools in science, mathematics, engineering, and technology to supplement the national security functions of the Department of Defense; to the Committee on Armed Services.

By Mr. CONNOLLY of Virginia (for himself and Mr. LANCE):

H.R. 3332. A bill to establish the National Commission on Intergovernmental Relations to facilitate the fullest cooperation and coordination between all levels of government; to the Committee on Oversight and Government Reform.

By Mr. ABERCROMBIE (for himself, Mr. FARR, Mr. PUTNAM, and Ms. BERKLEY):

H.R. 3333. A bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 3334. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Center for Health Statistics, to allocate

such sums as may be necessary for the collection of statistics from enhanced birth certificates; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr. NADLER of New York, Mr. GRAYSON, Mr. GRIJALVA, Mr. STARK, Ms. WATERS, Mr. PAYNE, Ms. NORTON, Mr. DAVIS of Illinois, Mr. FRANK of Massachusetts, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. RANGEL, Ms. LEE of California, Ms. FUDGE, Mr. MEEK of Florida, Mr. COHEN, Mr. THOMPSON of Mississippi, Ms. CLARKE, Mr. RUSH, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. MORAN of Virginia, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, and Mr. HONDA):

H.R. 3335. A bill to secure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. COURTNEY (for himself, Mr. ROSS, Mr. HARE, Mr. YOUNG of Alaska, Mr. WALZ, Mr. LOEBSACK, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. BISHOP of Georgia, Mr. HINCHEY, Mrs. McMORRIS RODGERS, Mr. MASSA, Ms. DELAURO, Ms. GIFFORDS, Mr. MURPHY of Connecticut, and Mr. SMITH of New Jersey):

H.R. 3336. A bill to amend title 10, United States Code, to lift restrictions on the availability of certain enlistment, reenlistment, and student loan benefits for military technicians, when membership in a reserve component is a condition of the military technician's employment and to repeal the prohibition in title 32, United States Code, against overtime pay for National Guard technicians; to the Committee on Armed Services.

By Ms. DELAURO (for herself, Mr. SABLAN, Mr. KISSELL, Ms. SCHAKOWSKY, Mr. PETERSON, Mr. MASSA, Mr. HOLT, Mr. BLUMENAUER, Mr. KENNEDY, Mr. COURTNEY, Mr. MCGOVERN, Mr. FILNER, and Mr. GRAYSON):

H.R. 3337. A bill to amend title 38, United States Code, to provide for the use of entitlement under Post-9/11 Veterans Educational Assistance Program for the pursuit of apprenticeships and on-job training; to the Committee on Veterans' Affairs.

By Ms. EDWARDS of Maryland (for herself, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. WOLF, and Mr. HOYER):

H.R. 3338. A bill to authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway; to the Committee on Transportation and Infrastructure.

By Mr. HEINRICH (for himself and Mrs. LUMMIS):

H.R. 3339. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Natural Resources.

By Mr. JOHNSON of Illinois (for himself, Ms. SCHWARTZ, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. LATHAM):

H.R. 3340. A bill to establish a Medicare Chronic Care Rapid Learning Network to develop and apply improved practices in care management for Medicare beneficiaries with multiple chronic conditions; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTI (for himself, Mr. BILBRAY, Mr. LEWIS of California, Mr. ROHRBACHER, Mr. GALLEGLY, Mr. BOOZMAN, Mr. ROGERS of Michigan, Mr. BARTLETT, Mr. CAO, Mr. NUNES, Mr. LAMBORN, Mr. GINGREY of Georgia, Mr. WOLF, Mr. BURTON of Indiana, Mr. KLINE of Minnesota, Mr. ISSA, Mr. CALVERT, Mr. ROGERS of Kentucky, Mr. MCCARTHY of California, Mr. BLUNT, Mr. AUSTRIA, Mr. RADANOVICH, Mrs. BONO MACK, Mr. CHAFFETZ, Mr. POE of Texas, Mr. SMITH of Nebraska, Mr. SCALISE, Mrs. MYRICK, Mr. CONAWAY, and Mrs. BLACKBURN):

H.R. 3341. A bill to require the Secretary of the Treasury to mint coins in commemoration of Ronald Wilson Reagan, the 40th President of the United States; to the Committee on Financial Services.

By Mr. LUJAN:

H.R. 3342. A bill to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque; to the Committee on Natural Resources.

By Mr. PAYNE (for himself, Mr. KILDEE, and Mr. SCOTT of Virginia):

H.R. 3343. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to encourage and support parent, family, and community involvement in schools, to provide needed integrated services and comprehensive supports to children, and to ensure that schools are centers of communities, for the ultimate goal of assisting students to stay in school, become successful learners, and improve academic achievement; to the Committee on Education and Labor.

By Mr. ROTHMAN of New Jersey:

H.R. 3344. A bill to provide for the reliquidation of certain entries of chlorinated isocyanurates; to the Committee on Ways and Means.

By Mr. ALEXANDER:

H. Con. Res. 169. Concurrent resolution expressing a sense of Congress that a government-defined or public option insurance plan should not be used to fund abortion and taxpayer-funds should not be used to provide abortion under a benefit package within any health care reform package; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H. Res. 676. A resolution congratulating the American Motorcyclist Association on its 85th Anniversary; to the Committee on Oversight and Government Reform.

By Mr. McDERMOTT (for himself, Mr. ROYCE, and Ms. JACKSON-LEE of Texas):

H. Res. 677. A resolution extending best wishes to the people of India as they celebrate the 62nd anniversary of India's independence from the British Empire; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas (for herself, Mr. BURTON of Indiana, and Mr. McDERMOTT):

H. Res. 678. A resolution extending best wishes to the people of the Islamic Republic of Pakistan as they celebrate the 62nd anniversary of Pakistan's independence from the British Empire; to the Committee on Foreign Affairs.

By Mrs. HALVORSON (for herself, Mr. RODRIGUEZ, Mr. LANCE, Mr. TEAGUE, Mr. COURTNEY, Mrs. EMERSON, Mr. ALEXANDER, Mr. BURTON of Indiana, Mr. TIM MURPHY of Pennsylvania, Mr. LATOURETTE, Mr. ALTMIRE, Mr.

REICHERT, Mr. LAMBORN, Mr. GRAYSON, Mr. BURGESS, Ms. BORDALLO, Mr. WESTMORELAND, Mr. BISHOP of New York, Mrs. McMORRIS RODGERS, Mr. PERLMUTTER, and Mr. CAO):

H. Res. 679. A resolution supporting the goals and ideals of American Legion Day; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. SESTAK, Mr. WEXLER, Mr. CONYERS, and Ms. MCCOLLUM.

H.R. 42: Mr. PIERLUISI.

H.R. 175: Mr. WEXLER.

H.R. 211: Mr. BOYD and Mr. LEWIS of Georgia.

H.R. 235: Mr. GRIFFITH.

H.R. 433: Mr. MINNICK.

H.R. 521: Mr. ROTHMAN of New Jersey.

H.R. 555: Ms. SCHAKOWSKY.

H.R. 571: Mr. JOHNSON of Illinois.

H.R. 621: Ms. TSONGAS and Ms. WOOLSEY.

H.R. 658: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. KUCINICH.

H.R. 690: Mr. BOUSTANY, Mr. HELLER, and Mrs. SCHMIDT.

H.R. 699: Ms. KILPATRICK of Michigan.

H.R. 775: Mr. LYNCH, Mr. OLSON, Mr.

CHAFFETZ, Mrs. HALVORSON, Mr. ANDREWS,

Mr. GINGREY of Georgia, Mr. SIREN, Mr.

JOHNSON of Illinois, Mr. POSEY, and Mr.

YOUNG of Florida.

H.R. 836: Mr. CARNEY.

H.R. 913: Mr. WEXLER.

H.R. 916: Mr. KENNEDY and Ms. ROYBAL-AL-LARD.

H.R. 948: Mr. KIND.

H.R. 1103: Mr. ROSKAM.

H.R. 1176: Mr. AUSTRIA.

H.R. 1177: Mr. KRATOVIL.

H.R. 1179: Mr. FORTENBERRY.

H.R. 1215: Mr. FATTAH, Mr. NADLER of New

York, and Mr. JOHNSON of Georgia.

H.R. 1245: Mr. YOUNG of Alaska.

H.R. 1269: Mr. GARRETT of New Jersey.

H.R. 1300: Mr. GARRETT of New Jersey.

H.R. 1392: Mr. SCHIFF and Mr. LOBIONDO.

H.R. 1425: Mr. BERMAN.

H.R. 1441: Mr. LOBIONDO and Mr. PAULSEN.

H.R. 1454: Mr. MARKEY of Massachusetts.

H.R. 1458: Mr. MILLER of North Carolina

and Mr. TIERNEY.

H.R. 1466: Ms. JACKSON-LEE of Texas.

H.R. 1470: Mr. YOUNG of Florida.

H.R. 1499: Mr. KIND and Mr. HODES.

H.R. 1521: Mr. AUSTRIA, Mr. FRELING-

HUYSEN, and Mr. MINNICK.

H.R. 1523: Mr. CONYERS and Ms. RICHARD-

SON.

H.R. 1570: Mr. YOUNG of Florida.

H.R. 1608: Ms. VELÁZQUEZ, Ms. MOORE of

Wisconsin, Ms. SLAUGHTER, Ms. WATSON, Ms.

LEE of California, and Mr. ELLISON.

H.R. 1618: Mr. ELLSWORTH and Mr. PETERS.

H.R. 1646: Mr. MILLER of North Carolina.

H.R. 1670: Mrs. DAHLKEMPER.

H.R. 1686: Ms. MCCOLLUM.

H.R. 1695: Mr. ADLER of New Jersey.

H.R. 1740: Mr. BAIRD and Mr. SCALISE.

H.R. 1790: Mr. WEXLER.

H.R. 1802: Mr. GARRETT of New Jersey.

H.R. 1826: Mr. ORTIZ.

H.R. 1898: Mr. HOLT.

H.R. 1993: Mr. McMAHON.

H.R. 2016: Mr. WEXLER and Mr. COHEN.

H.R. 2017: Mr. MINNICK and Ms. FALLIN.

H.R. 2030: Mr. HINCHEY, Mr. GRIJALVA, and

Ms. HIRONO.

H.R. 2035: Mr. KISSELL.

H.R. 2054: Mr. WELCH and Mr. GRAYSON.

H.R. 2060: Mr. WEXLER.

H.R. 2070: Mr. CARNEY.
H.R. 2112: Mrs. CAPPS.
H.R. 2119: Mr. YOUNG of Florida.
H.R. 2139: Ms. BALDWIN, Mr. FATTAH, Mr. TERRY, Mr. MURPHY of Connecticut, Mr. SESTAK, Mr. HIMES, Mr. MILLER of North Carolina, and Mr. WALZ.
H.R. 2190: Ms. SHEA-PORTER.
H.R. 2194: Mr. YOUNG of Florida, Mr. WEINER, Mr. GINGREY of Georgia, and Mrs. BACHMANN.
H.R. 2213: Mr. ROTHMAN of New Jersey.
H.R. 2214: Ms. CORRINE BROWN of Florida.
H.R. 2215: Mr. CAMP.
H.R. 2231: Ms. ROYBAL-ALLARD.
H.R. 2287: Mr. MORAN of Kansas, Mrs. CAPITO, and Mr. MARSHALL.
H.R. 2324: Mr. SHERMAN and Mr. HOLT.
H.R. 2329: Mr. BOSWELL, Mr. WATT, Mr. HOEKSTRA, and Mr. SIRES.
H.R. 2339: Mr. HONDA.
H.R. 2406: Mr. GARRETT of New Jersey.
H.R. 2408: Mr. KILDEE, Mr. MCCOTTER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HARE, Mr. BISHOP of New York, Mr. CAMP, and Mrs. CAPITO.
H.R. 2452: Mr. MICHAUD, Mr. McMAHON, Mr. SHERMAN, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 2456: Mr. CARNAHAN and Mr. WEXLER.
H.R. 2478: Mr. FATTAH.
H.R. 2492: Mr. ETHERIDGE.
H.R. 2499: Mr. CAMP.
H.R. 2520: Mr. SOUDER.
H.R. 2521: Mr. SCHIFF.
H.R. 2529: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2546: Mr. ROONEY.
H.R. 2558: Mr. EHLERS.
H.R. 2563: Mr. HASTINGS of Florida, Mr. MACK, and Mr. MCCARTHY of California.
H.R. 2568: Mr. LEWIS of Georgia.
H.R. 2709: Mr. HOLT.
H.R. 2724: Ms. MOORE of Wisconsin.
H.R. 2740: Ms. ZOE LOFGREN of California and Mr. WEXLER.
H.R. 2746: Ms. NORTON, Ms. HIRONO, Ms. BERKLEY, Ms. KILPATRICK of Michigan, Ms. WASSERMAN SCHULTZ, Mr. MICHAUD, Mr. BERMAN, and Mr. WAXMAN.
H.R. 2754: Mr. BRADY of Pennsylvania and Mr. SARBANES.
H.R. 2882: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2935: Mr. ROGERS of Kentucky, Mr. SCHIFF, and Mrs. NAPOLITANO.
H.R. 2941: Mr. HALL of Texas, Mr. YOUNG of Florida, and Mr. PETERS.
H.R. 2992: Mr. ROONEY.
H.R. 3004: Mr. SIMPSON.
H.R. 3006: Mr. WEXLER.
H.R. 3011: Mr. SENSENBRENNER and Mr. WILSON of South Carolina.
H.R. 3037: Mr. CONYERS, Mr. PASCRELL, and Mr. GRAYSON.
H.R. 3042: Mr. MCGOVERN.
H.R. 3059: Mr. BUTTERFIELD.
H.R. 3068: Mr. PIERLUISI.
H.R. 3076: Mr. FILNER.
H.R. 3090: Ms. DELAURO.
H.R. 3165: Mr. WEXLER.
H.R. 3177: Mr. SIMPSON.
H.R. 3193: Mr. YOUNG of Florida.
H.R. 3202: Mr. WEXLER.

H.R. 3206: Mr. DEFazio.
H.R. 3212: Mr. BRALEY of Iowa.
H.R. 3217: Mr. SOUDER.
H.R. 3218: Mr. YOUNG of Alaska and Mr. SOUDER.
H.R. 3226: Mr. LUCAS and Mr. SAM JOHNSON of Texas.
H.R. 3227: Mr. PRICE of North Carolina and Mr. WEXLER.
H.R. 3238: Mr. WEXLER.
H.R. 3242: Ms. EDWARDS of Maryland and Ms. BORDALLO.
H.R. 3250: Mr. HIGGINS, Mr. MCHUGH and Ms. MOORE of Wisconsin.
H.R. 3266: Ms. KILPATRICK of Michigan and Mr. BROWN of South Carolina.
H.R. 3289: Mr. CHAFFETZ, Mr. TIAHRT, and Mrs. MYRICK.
H.R. 3294: Ms. ROS-LEHTINEN and Ms. BORDALLO.
H.R. 3308: Mr. ALEXANDER and Mr. BROWN of South Carolina.
H.R. 3310: Mr. SESSIONS, Mr. PITTS, Mr. SHIMKUS, and Mrs. MYRICK.
H.R. 3313: Mr. STUPAK.
H.R. 3314: Mr. STUPAK.
H. J. Res. 42: Mr. CRENSHAW, Ms. ROS-LEHTINEN, and Mr. ADERHOLT.
H. J. Res. 61: Mr. KUCINICH.
H. Con. Res. 49: Mr. ROHRABACHER and Mrs. KIRKPATRICK of Arizona.
H. Con. Res. 74: Ms. HIRONO.
H. Con. Res. 87: Mr. CARSON of Indiana.
H. Con. Res. 95: Mr. MICHAUD.
H. Con. Res. 139: Mr. TIAHRT, Ms. LORETTA SANCHEZ of California, Mr. RODRIGUEZ, Mr. MARCHANT, Mr. RUPPERSBERGER, Mr. THORNBERRY, and Mr. MARSHALL.
H. Con. Res. 163: Mr. NEAL of Massachusetts, Mr. PIERLUISI, Mr. ARCURI, Mr. BOREN, Mr. PASTOR of Arizona, Ms. HIRONO, Ms. DELAURO, and Mr. CUMMINGS.
H. Con. Res. 165: Mr. RANGEL, and Mr. LYNCH.
H. Res. 111: Ms. ESHOO.
H. Res. 221: Ms. WOOLSEY, Mr. SHERMAN, Mr. GRAYSON, Ms. WASSERMAN SCHULTZ, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, and Mr. COSTA.
H. Res. 278: Mr. FILNER.
H. Res. 362: Mr. WEXLER.
H. Res. 416: Mr. CARSON of Indiana.
H. Res. 443: Mr. MASSA.
H. Res. 459: Mr. ROE of Tennessee.
H. Res. 465: Mr. KLEIN of Florida.
H. Res. 487: Mr. PETERS, and Ms. KILPATRICK of Michigan.
H. Res. 494: Mrs. BLACKBURN.
H. Res. 508: Mr. HOEKSTRA.
H. Res. 575: Mr. PRICE of Georgia.
H. Res. 577: Mr. WALDEN, Mr. ROGERS of Michigan, Mr. PITTS, Mr. SHADEGG, Mr. UPTON, Mr. HOEKSTRA, Mr. HALL of Texas, Mrs. MILLER of Michigan, Mr. GINGREY of Georgia, and Mr. KING of Iowa.
H. Res. 605: Mr. PETRI, Mr. KENNEDY, and Mr. LATHAM.
H. Res. 615: Mr. LATHAM.
H. Res. 630: Ms. WOOLSEY and Mr. QUIGLEY.
H. Res. 633: Ms. LEE of California.
H. Res. 659: Ms. WATSON, Mrs. CHRISTENSEN, Ms. FUDGE, Mr. PAYNE, and Ms. CASTOR of Florida.
H. Res. 660: Mr. WATT.

H. Res. 671: Mr. SCALISE, Mr. JONES, Mr. TIBERI, Mrs. CAPITO, and Mr. SOUDER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2469: Mr. LATTI, Mr. BROUN of Georgia, Ms. FOXX, Mr. GINGREY of Georgia, Mr. SHADEGG, Ms. FALLIN, Mr. KING of Iowa, Mrs. SCHMIDT, Mr. ISSA, Mr. PENCE, Mr. CONAWAY, Mr. KINGSTON, Mr. FLEMING, and Mr. PITTS.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 5, July 23, 2009, by Mrs. MARSHA BLACKBURN on the bill (H.R. 391), was signed by the following Members: Marsha Blackburn, Mike Pence, Wally Herger, Cynthia M. Lummis, Lynn A. Westmoreland, Steve Scalise, Donald A. Manzullo, Michael C. Burgess, Aaron Schock, Henry E. Brown, Jr., John L. Mica, Adrian Smith, John Shimkus, K. Michael Conaway, Doug Lamborn, Scott Garrett, Roscoe G. Bartlett, Sue Wilkins Myrick, George Radanovich, and Lynn Jenkins.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 2 by Mr. CARTER on the bill (H.R. 735): Kenny Marchant and John L. Mica.

Petition 3 by Mr. LATOURETTE on H. Res. 359: Jerry Lewis, Peter T. King, Doc Hastings, J. Gresham Barrett, Vern Buchanan, Mike Rogers (MI), Brett Guthrie, Jeff Fortenberry, John L. Mica, Jeff Flake, and Walter B. Jones.

Petition 4 by Mr. BURTON on H. Res. 460: Adam H. Putnam, Louie Gohmert, Eric Cantor, Cathy McMorris Rodgers, Adrian Smith, John Kline, Paul C. Broun, F. James Sensenbrenner, Jr., Blaine Luetkemeyer, Sue Wilkins Myrick, Mike Pence, Lamar Smith, Thaddeus G. McCotter, Roy Blunt, Roscoe G. Bartlett, Kay Granger, Ralph M. Hall, Steve Austria, Pete Olson, J. Gresham Barrett, Ileana Ros-Lehtinen, David G. Reichert, Anh “Joseph” Cao, Bill Posey, Todd Tiahrt, Dennis R. Rehberg, John Linder, Charles W. Boustany, Jr., Joseph R. Pitts, Rodney Alexander, Mary Fallin, Jo Bonner, Michele Bachmann, Todd Russell Platts, Mary Bono Mack, Connie Mack, Jerry Moran, Joe Wilson, Marsha Blackburn, Jason Chaffetz, Robert J. Wittman, Greg Walden, Phil Gingrey, Doug Lamborn, Michael T. McCaul, Lee Terry, Brett Guthrie, Lynn A. Westmoreland, Tim Murphy, Jim Gerlach, Jean Schmidt, Daniel E. Lungren, Wally Herger, Mike Rogers (AL), Gus M. Bilirakis, John L. Mica, and Henry E. Brown, Jr.